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THE HEBREW FAMILY

A STUDY IN HISTORICAL SOCIOLOGY

By

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INTRODUCTION

Since historical students of the Old Testament writings have come to general agreement as to the true order of development of the documents, some attempt has been made to apply sociological laws to the interpretation of ancient Hebrew life, and much has been written concerning the social teachings of the Bible.

The more fundamental task of discovering and classifying the facts of the social fabric of ancient Israel and tracing in detail the growth of the various social institutions has thus far received comparatively little attention; yet students of Sociology, introduced to the critical, historical study of the Old Testament, are wont to note that this literature is a storehouse of data little known or used by the professional students of social institutions.

It was perhaps thirty-five years ago that the present writer was led to realize that the social scientist had a real contribution to make to the understanding of the religious history of Israel, as he listened one evening to Professor Arthur T. Hadley trace in broad outline the struggle between the prophetic and priestly groups of ancient Israel. Since that time, he has become convinced with the writer of the present volume,

that much more of detailed investigation must be given to the facts, examined from the point of view of the sociologist, before much solid progress can be made in the social interpretation of Hebrew life and thought.

Trained in Biblical criticism and Sociology, Dr. Cross began such painstaking investigation many years ago. The present monograph, dealing with that fundamental social institution, the family, shows the technical knowledge to be expected from a professional student of the Hebrew language and literature, and should be of wide service to those who desire truly to understand and interpret the Old Testament. If the facts concerning the family in ancient Israel seem of significance to students of Sociology also, they may be used by them with confidence, as representing the careful and exact results of modern Old Testament scholarship.

HENRY T. FOWLER,

Brown University.

FOREWORD

The Old Testament holds a place of its own in the interests of all Hebrews, and because of its genetic relation to the New Testament, it is also highly esteemed by Christians. To the world in general, the story of the Hebrew people of old is important in view of the peculiar contribution which that people has made to the life and thought of humanity, particularly in the sphere of religion. The Hebrew thought of religion in terms which were closely bound to his daily life and activity, and his family relationships were moulded by religious impulses. The study of the Hebrew family becomes, therefore, significant for the student of religion.

Because of the genetic relationship between the Hebrew religion and Christianity, the culture of the Hebrew has made a profound impression upon the western world. Most people in Christian countries are familiar in some measure with the contents of the Old Testament. One might venture to say that most Nordics are more familiar with the ancient culture of the Hebrews than they are with that of their own Teutonic forebears. The ideals of modern Christian homes have grown out of the

primitive and simple moral standards and spiritual ideals which developed amid Hebrew surroundings. Hence, a study of the Hebrew family is in a real sense an introduction to the study of the Christian family.

Between the time of the writing of the last book of the Old Testament and modern days, a long period has intervened. We have not attempted to enter the field of the Jewish Family, for this should properly have distinct treatment. In confining our study to the Old Testament, we have done so largely by way of providing confirmatory evidence of the soundness of the modern critical theory of the chronological order of the material. The pages of this book will register the fact that the development of Hebrew social life as far as the family is concerned was along lines similar to those which humanity has been found to have followed in other parts of the world and in parallel stages of history. In other words, we have found that the modern literary and historical criticism of the Old Testament is substantiated by the tests of sociological investigations.

We wish to express our gratitude especially to the constant incentive from the beginning of these studies, which has come from Professor Henry T. Fowler of Brown University, and for his courteous assent to writing a few lines of introduction to this volume. There is with us also a sense of obligation to Professor James Q.

Dealey, who has read these pages in manuscript and passed upon them from the vantage point of his mature experience in the field of sociology. To those students also with whom we have companied in sociological studies in the Old Testament, we would express appreciation for the stimulus of their questions and for their frequent criticisms, which have greatly aided our work.

EARLE BENNETT CROSS,

Rochester, N. Y.
January 1, 1927.

TO

MY FAMILY

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THE HEBREW FAMILY

A Study in Historical Sociology

Chapter I

TRACES OF A METRONYMIC FAMILY TYPE

IN beginning the study of the Hebrew family, one of the most interesting phases of the subject greets us at the very outset. By analogy with the development of the institution of the family among other races and peoples of mankind, we are led to expect that the Hebrews passed through a stage in which kinship was reckoned through the mother rather than the father. This stage has usually preceded that form of tracing kinship with which we are more familiar, wherein the family name is that of the father. This latter type of family is known as the patronymic. The type in which kinship is traced through the mother is known as the metronymic form. So familiar are we with the custom which regards the father as the chief member of the family group, that we are inclined to doubt if folkways ever did otherwise.

The application of the scientific method to history and to the study of mankind brought to light many facts which had been obliterated from the mind of men. The middle of the nine-

teenth century opened up a new world of knowledge to the student. The study of primitive types of humanity still existent in the world led to a more accurate conception of what human life was in most ancient times. The patronymic system as well as other elements in the organization of the modern family which seemed to have existed from the beginning, were seen to have developed out of more primitive forms. The study of those peoples among whom a metronymic form of family still persists has called to our attention certain facts which point to a period in the Hebrew social order, when kinship was not traced through the father, but through the mother. The evidence is not weighty by itself, but to one who is familiar with the various types of primitive social organization there is no doubt that a metronymic form of the family preceded the patronymic in Hebrew history as it has in many other branches of the human family.

When the fact is called to our attention, we recognize at once that it is more natural that in the origins of human society the family should be grouped around the mother rather than about the father. In very primitive life, the part which the father takes in procreation is not fully understood. The mother on the other hand is closely bound to the child as its nurse, and by the fact of birth. In some human orders, furthermore, it is the custom for men and women to be partners in sexual relations by groups.

In such cases, where a woman of a certain group has had intercourse with a number of men in the group with which she is properly related in the matrimonial custom of her tribe, it is quite impossible to determine paternity. Maternity is never in question.

Metronymic customs persist for a long time after patronymic ideas have come into being. The latter obliterate the former only after a long process of civilization in any human society. The historical period of Hebrew life begins long after the patronymic idea has gained the upper hand, so that we can expect no more than to be able to trace the fading customs and practices of metronomy in the midst of regularly instituted patronymic life. We are guided in our investigation by the folkways of other races. The recognition of the existence of a metronymic family precedent to the patronymic among the Hebrews will serve to clear up a number of puzzling incidents, and will also help us to a sympathetic appreciation of the developing civilization and emergent moral ideals of this ancient race to which the Christian owes so much.

A metronymic system of family organization produced its own peculiar customs and institutions. Marriage forms for example are distinctly different in a metronymic group from those of the patronymic type. Marriage relations often assume in a metronymic order a temporary, or intermittent character. The woman as a rule

does not leave the group into which she was born. The man with whom she has relations as of wife with husband, either enters into her group or visits her at intervals. W. Robertson Smith in "Kinship and Marriage in Early Arabia," uses the word *'çadiqa'* to characterize such temporary unions. Among sociologists in general, the Ceylonese word *'beena'* has frequently been employed to define the form of marriage in which the man visits his wife only at intervals in her own tribal group. We shall consider instances of such marriage among the Hebrews at the proper time. Before doing this, however, we would present some evidence which may not be conclusive by itself, but which is significant in connection with the more specific facts.

Naming of Children by the Mother

In a metronymic family organization, the child is under the control and direction of the mother, or the brothers of the latter. This authority and right of the mother finds first expression in the giving of a name to the child. In our modern custom of endowing a child with two, three, and even more names in addition to the family name, the import of the donor of the name is somewhat obscured. With us, the various grandsires, uncles, aunts, and godparents may extend to a child the benefaction of their names almost without let or hindrance. Even so, the surname is normally that of the

father. At rare intervals, occurs the anomaly of a metronymic practice in our patronymic order. When an heiress, an only child, seeks to perpetuate the name of her honorable family, she may prevail upon her husband-to-be that he shall assume her family name. In such exceptional instances, there can always be detected the specific cause which led to the variation from the normal practice. Ordinarily in our patronymic system, if a man's name be Smith or Jones, Smith or Jones is the name which is affixed to his sons and daughters. The courts may be invoked to make an exception, and by normal patronymic practice the daughters will change their names to the family name of their husbands, when they marry.

In times when a man was dignified by but one name, it was a matter of considerable moment to specify what name he should bear. The right would inhere with the more prominent parent. In a patronymic group, the father exercises the right. The mother gives the name to the child born in a metronymic group. It will be of interest, then, for us to consider the naming of children in the Old Testament. If it should transpire that the instances in the later portions of the Book are namings by the fathers, whereas those in the earlier documents are namings by the mothers, this fact would substantiate the premise that a metronymic stage preceded the patronymic in Hebrew history.

The modern study of the Bible has made pos-

sible such an investigation as we purpose by the analysis of the composite material which is found especially in the older portions of the Old Testament. It is possible now that the several documents have been distinguished to arrange them in chronological sequence. For our purposes, it is enough to state that in the Hexateuch, the first six books of the Bible, four main documents are to be distinguished. These are known by scholars as the J, E, D, and P sources. The J document in its written form does not go back of 850 B.C., and probably antedates 800 B.C., in the main. The E document is the product of the next half-century (800-750 B.C.). The D document represents the mind of the seventh century, for it took shape at least by 650 B.C. The P document is the work of the period following the exile; its various parts were written between 570 and 400 B.C.

There occur twenty-nine instances of the naming of children in the J document of the Hexateuch. Four of these are indefinite in their distinction of the name-giver. In three passages, the father is represented as giving the name to the child, Genesis 4:26; 5:29, and Judges 8:31. The latter passage is not in the Hexateuch, but it is in the material in the book of Judges kindred with the J document of the Hexateuch. A fourth instance of naming by the father occurs in the unrevised text of Genesis 38:3, "And he called his name Er." The other two sons of Judah, Onan and Shelah, were named by

their mother, however, according to the record in verses 4 and 5. We hold it to be a mistake of a patronymic mind which has modified the first instance, and that the text should be read, "And *she* called his name Er." In the summary of the evidence, this single instance does not greatly affect the conclusions, otherwise we should prefer not to count it as a metronymic instance, lest we should vitiate our argument in the eyes of some. Suffice it to note that this one instance of naming by the father may be called in question.

Twenty-one instances of the naming of children are metrynomic. If the instance noted above be added, the total is twenty-two. Four of the children were named by adoptive mothers (Genesis 30:6, 8, 11, 13). This fact in no wise spoils the evidence of metronymic custom. Twenty-two out of twenty-nine instances of the giving of names to children in this earliest document cite the mother as the important party in the transaction.* We would not go further than the records warrant; but a good case could be made out in at least two of the four instances of the naming of children in which the namer is indefinite, which would add two more to the list of mother-namings. (Genesis 25:24,26). The two other indefinite cases are in Genesis 38:29, 30.

In summary of the evidence in this earliest document of the Hexateuch, we cite twenty-one instances of mother-naming, three, or possibly

*Genesis 4:1, 25; 16:11; 19:37, 38; 29:32-35; 30:6, 8, 11, 13, 18, 20, 21, 24; 38:3 (textual error here), 4, 5; Exodus 2:22; Judges 13:24.

four, of father-naming. Four cases do not specify which of the parents gave the name; but of these two seem probably to have been cases of mother-naming, for they are cited in connection with a considerable list of mother-namings. Allowing for the mistakes due to patronymic historians, and for probabilities, we could swell the evidence to the proportion of twenty-four out of twenty-nine instances.

Outside of the Hexateuch in early documents of the Old Testament, three other instances of the naming of children should be cited (I Samuel 1:20; 4:21; II Samuel 12:24). In each of these instances, the mother names the child. In the case of Solomon, we make the claim that his mother named him, not upon the evidence of the present Hebrew text, but by reason of the evidence of the Syriac Version and the Targum. The Septuagint is non-committal in this case. Adopting the textual emendation, we find all three instances in the Books of Samuel to be mother-namings.

As the records of the later documents are scanned, we observe the growing influence of the patronymic idea in the predominance of father-namings. Five instances only of the naming of children occur in the E document. Of these, the father named the child in four cases,* and the mother in one.** In the document of the Hexateuch which dates from the period follow-

*Genesis 41:51, 52; Exodus 18:3, 4.
**Genesis 35:18.

ing the exile, the P document, every one of the four instances of the naming of children is patronymic.*** The type appears to have been settled by that time.

Three other cases of the naming of children occur in the Old Testament beside those which have been enumerated. The mother is represented as giving the name to the child Immanuel in Isaiah 7:14. Twice in the genealogical lists in First Book of Chronicles, the giving of a name to a child is recorded. In one case the mother names the child (I Chronicles 4:9) and in the other case the father is the namer (I Chronicles 7:23). The record of Isaiah is comparatively early, dating from the latter part of the eighth century B.C. The Chronicler did his work after 400 B.C., but he cites, and gives material from, records of much earlier date, so that his evidence is indeterminate.

Finally, the record of the documents composed during the period following the exile is almost exclusively that of father-naming. As we consider the earlier documents, it is to discover the growing predominance of mother-naming the further back in time we go. As we have indicated above, there is no record dating from a time in which metronymic organization was the dominant type. It would appear, however, that the earliest documents which we possess, come from a transition period in which

***Genesis 5:3; 16:15; 17:19; 21:3.

the practices of a metronymic type are being transformed into those of the patronymic. The evidence from the naming of children may be summarized in the following tables:

IN THE DOCUMENTS OF THE HEXATEUCH AND RELATED.

	Father named.	Mother named.	Uncertain
J document	3	22	4
E document	4	1	–
Deuteronomic	–	—	–
P document	4	—	–

IN DOCUMENTS OTHERWHERE IN OLD TESTAMENT.

Reference	Approximate date.	Named by.
I Samuel 1:20	Before 850 *B. C.*	Mother.
I Samuel 4:21	"	Mother (Father dead.)
II Samuel 12:24	"	Mother (by corrected text.)
Isaiah 7:14	750-700 *B. C.*	Mother.
I Chronicles 4:9	After 400 *B. C.*, but	Mother.
I Chronicles 7:16	using earlier sources.	Mother.
I Chronicles 7:23	"	Father.

The evidence points back to a period of metronymic family organization in the Hebrew history, precedent to the more familiar and long-predominant patronymic type.

Marriage of Half-Brother with Half-Sister

Another evidence which points to the existence of a metronymic type of family organization is the occurrence of marriages between a half-brother and his half-sister. We are, of course, using patronymic

terms to describe a relationship between the parties to the marriage, which relationship did not exist at all between them from the metronymic point of view. A sentiment against the marriage of brother and sister exists rather generally among humankind, and as a rule consanguinity is held to be a bar to marriage. In a metronymic system, where polygyny also is the practice, however, marriage might be sanctioned between children of the same father provided that they were born of different mothers. From the metronymic point of view, the two who would marry are not of the same family. The brother, to use the patronymic term, is counted a member of the family of his mother, and the sister is a member of the family of *her* mother. Thus, somewhat arbitrarily, but quite logically, they are not kin and may marry. In a patronymic system, a youth and a maid related in such a way might not marry, since they would both be counted as of the family of their father and therefore within the limits of proscribed relationship.

The question might be raised with regard to the practice of polyandry under a patronymic system, and the marriage of youth and maid, born of the same mother but by different fathers. Might there not be the same arbitrary distinction of family on the basis of the different fathers, so as to permit the two to marry? This could not be. In polyandrous groups, it is difficult and well-nigh impossible to be certain of

the identity of the father of a particular child. Where potential fathers are many, the particular father cannot be readily ascertained, but the mother of the child can be known in every case. As far as the field of our investigation is concerned, moreover, the question is not pertinent. There is no trace of polyandry in the usual sense of the term among the Hebrews. The practice of religious prostitution might in some sense be called polyandry, but the relationship in this particular is not in the nature of marriage. The distinction between families by which a youth and a maid, children of the same father but of different mothers, might marry, is a clear evidence of a metronymic system of tracing kinship. In the process of transition from a metronymic to a patronymic order, such marriages would be recognized as legitimate for a considerable period after the patronymic system had begun to claim precedence. The existence of such marriages in a patronymic social order is cogent evidence that a metronymic order prevailed in an earlier time.

The union of Abram and Sarah is one instance of such a marriage between half-brother and half-sister, if the record in Genesis 20:12 is credible. These two were the children of Terah, but by different mothers, whose names are not recorded. The J document of the Hexateuch, which is the oldest and in general the more reliable source, is silent with regard to this relationship between Abram and Sarah. No men-

tion is made of Sarah's father in the genealogy of Genesis 11:29 (J), although the name of the father of Milcah, Nahor's wife, is given there. Also in the J document's version of the story referred to above, there is nothing to indicate that the styling of Sarah as the sister of Abram is anything more than a subterfuge intended to protect her from the Pharaoh. (Genesis 12:10ff). Nevertheless, the claim made by the E document cannot be dismissed without more credible evidence than the argument from silence of the J document. Taking the account of the E document, we discover in the case of Abram and Sarah an instance of a marriage between half-brother and half-sister. If this were the only instance on record, we would not cite it as evidence; but in view of substantiating evidence to follow, it can be noted at least. The facts with regard to the family of Abram, as they appear from the story of Isaac and Rebekah as well as in the story of Jacob and his wives, serve further to indicate that this group was organized on the metronymic basis. These things will find a place in this discussion at the proper time.

The story of Amnon who violated his half-sister, Tamar, evidences the permissibility of marriage between half-brother and half-sister in the days of David. As the story goes, Amnon, intatuated with Tamar, feigned illness and sought to have his half-sister prepare him some delica-

cies and serve them with her own hands. This she did. As he had purposed in his heart, he ravished the girl. In the course of her pleadings, Tamar cried, "Nay, my brother, do not force me, for no such thing ought to be done in Israel. Do not thou this folly. And I, whither shall I carry my shame? And as for thee, thou wilt be as one of the fools in Israel. Now therefore, I pray thee, speak unto the king, for he will not withhold me from thee." (II Samuel 13:13). It is inconceivable that in the exigencies of her situation and in pleading with her assailant, Tamar should appeal to Amnon with an impossible alternative. The marriage which she declares the king would not forbid, must have been feasible as far as the customs of the day were concerned.

The more convincing evidence of the legitimacy of union between half-brother and half-sister, comes from the law codes. There also appears the gradual prevalence of patronymic prejudices which ultimately eliminated this form of marriage. In the earliest code there is no reference at all to this type of marriage. "Silence gives consent" is *a propos* in this case, for with the publishing of the Deuteronomic Code in the seventh century B.C., there appeared a law interdicting the marriage of a man with his sister, "whether she is the daughter of his father, or of

his mother." (Deuteronomy 27:22). The last clause which we have quoted from the Code is significant as a direct injunction against the type of marriage which during the tenth century B.C., as in the case of Amnon and Tamar, would have been legitimate. The presence of such a law in Deuteronomy is testimony of a growing sentiment against such marriages in the seventh century, as well as evidence of the prevalence of such unions. If such marriages were not common, why should there be any legislation concerning them?

The so-called "Holiness Code" which is to be dated only a little later than the Deuteronomic Code, finds it necessary to denounce such marriages between brother and sister thrice over. "The nakedness of thy sister, the daughter of thy father, or the daughter of thy mother, whether born at home, or born abroad, even their nakedness thou shalt not uncover." (Leviticus 18:9. Cf. also Leviticus 20:17; 18:11). The phrase "uncover the nakedness" is most easily explained as a sort of euphemism for sexual intercourse, and hence also for the purposes of the clause in the code, a phrase used to signify marriage. This evidence brings us down to the time of the exile in the sixth century. Evidently, such marriages had persisted till that time. This remnant of metronymic usage proved itself well-nigh ineradicable. With the exile, however, it seems to have come to an end.

Marriage of the "beena" type

A third evidence of metronymic ideas among the Hebrews is to be found in the occurrence of that type of marriage which is sometimes called "beena," from the usage of the Ceylonese among whom it was studied by modern sociologists. A "beena" marriage is one in which the man either enters the family of the woman, or visits her at intervals. In such cases, the children are regarded as belonging to the family of the mother. They reside in her group, and have no contact with the family of the father. "Beena" marriages are indisputably concomitants of a metronymic system of tracing kinship.

When Moses fled from Egypt to the land of Midian, where he met the daughters of Reuel, priest of Midian, he married one of them. The record of the event is worded significantly. "And Moses was content to dwell with the man, and he gave Moses Zipporah, his daughter." (Exodus 2:21). Apart from the search for metronymic evidences, possibly the implication that Moses entered the family of Reuel has no other significance than that the fugitive and wanderer had come to a comfortable harbor in the bosom of this Midianite's family. Subsequent events, however, tend to suggest that this was, at the outset, a metronymic marriage. The confusion and brevity of the account does not make for a conclusive decision.

The J document represents Moses as return-

ing to Egypt to free the enslaved Hebrews in the company of his wife and sons. This document, however, wishes to insert the odd little incident of Yahweh's attack upon Moses, and Zipporah's act, which explains the origin of the rite of circumcision. (Exodus 2:19ff). The E document, on the other hand, seems to have preserved the more trustworthy record in this case. "And Jethro, Moses' father-in-law, [Reuel in the J document] took Zipporah, Moses' wife, *after he had sent her away*, and her two sons. And Jethro, Moses' father-in-law, came with his sons and his wife unto Moses into the wilderness." (Exodus 18:2, 3, 5). The reader who is trained to detect the hand of editors, will hardly require to be advised that the phrase "after he had sent her away" is an attempt to harmonize the discrepancy between the J and the E documents. Apart from this editorial gloss, it appears in the E document that the wife and sons of Moses had remained with the maternal group, at least until this visit which they made in company with the father-in-law to the Hebrew encampment in the wilderness after the exodus. This procedure may have been dictated by considerations of safety for the wife and children. On the other hand, it may be that Moses had no right to take the woman or her children with him, except by acquiescence on the part of the mother's group. When this was given, the metronymic yielded to the patronymic procedure. After all, the evidence in this particular case is exceedingly

slight. We note it merely for the sake of including all evidence, and pass on to more weighty instances.

Samson contracted a "beena" marriage with the woman of Timnah. (Judges 14:1-15:8). The story is sadly in need of textual revision, for the sake of consistency with itself, if for no other reason. "Then went Samson down," says the record, "and his father and his mother, to Timnah, and came to the vineyards of Timnah. And behold, a young lion roared against him. And the spirit of the Lord came mightily upon him, and he rent him as he would a kid. And he had nothing in his hand. But he told not his father or his mother what he had done." This is preposterous. How could a lion attack one of a trio of people without the notice of the other two? Furthermore, if the parents of Samson accompanied him on his journey to Timnah, the narrator forgot to record their return home in the interval between verses 6 and 9. The sequence of events in verse 9 shows this. After finding the honey in the body of the lion as he returned from Timnah, Samson "took it into his hands, and went on, eating as he went. And he *came to his father and his mother*, and gave unto them, and they did eat. But he told them not that he had taken the honey out of the body of the lion." A further difficulty arises in verse 8 with the phrase "to take her." The mere reading of the context indicates that the phrase is not germane. "And after a while he (Samson)

returned *to take her*. And he turned aside to see the carcass of the lion. And behold there was a swarm of bees in the body of the lion, and honey. And he took it into his hands, and went on, eating as he went. And he came" not to the girl, nor to her home, but "to his father and his mother." Such inconsistencies in the story have led scholars to excise the clauses "and his father and his mother" (V. 5), "but he told not his father or his mother" (V. 6), and "to take her" (V. 8).

With these proposed emendations we concur, but upon grounds which we believe to be more plausible than those usually given. The cause of the confusion is to be found in the insertion of these phrases by a patronymic hand, moved by ignorance of metronymic practices such as prevailed in the incident. The custom by which a husband did not take his wife into his own family, but visited her at intervals would be quite incomprehensible to an editor of the late periods of Hebrew history. He would naturally seek to correct the narrative, but only to produce as a result such inconsistencies as glare at us from the pages of the story. On the basis of this explanation, not only the clauses which have been indicated but two other clauses in verses 2 and 3 should also be noted as patronymic insertions—"now therefore get her for me to wife" (verse 2), and "And Samson said unto his father, 'Get her for me, for she pleaseth me well.'" (verse 3). These latter phrases do not mar the

sequence of thought. When, however, the other clauses have been eliminated in order to secure a consistent procedure in the narrative, the story has achieved such a metronymic tinge as to make clear the necessity of carrying the emendation further, if we would also be consistent sociologically. The facts that the wedding is celebrated at Timnah and that the companions of the bridegroom are men of Timnah (Judges 14:10,11) also sets the story in the sphere of metronymic custom.

The story, revised according to the original metronymic tone thereof, would read as follows: "And Samson went down to Timnah, and saw a woman in Timnah of the daughters of the Philistines. And he came up, and told his father and his mother, and said, 'I have seen a woman in Timnah of the daughters of the Philistines.' Then his father and his mother said unto him, 'Is there never a woman among the daughters of thy brethren, or among all my people that thou goest to take a wife of the uncircumcised Philistines?' But his father and his mother knew not that it was of the Lord; for he sought occasion against the Philistines. Now at that time the Philistines had rule over Israel.

Then went Samson down to Timnah, and came to the vineyards of Timnah: and, behold, a young lion roared against him. And the Spirit of the Lord came mightily upon him, and he rent him as he would have rent a kid; and he had nothing in his hand. And he went down, and

talked with the woman; and she pleased Samson well. And after a while he returned; and he turned aside to see the carcass of the lion: and, behold, there was a swarm of bees in the body of the lion, and honey. And he took it in his hands, and went on, eating as he went; and he came to his father and mother, and gave unto them, and they did eat: but he told them not that he had taken the honey out of the body of the lion.

And Samson went down unto the woman, and made there a feast; for so used the young men to do. And it came to pass, when they saw him, that they brought thirty companions to be with him. And Samson said unto them, 'Let me now put forth a riddle unto you.' "

Thus the story proceeds to recount the treachery of the wife, who let out the secret of his riddle, whereupon Samson took dire vengeance upon the Philistines and "went up to his father's house." (14:19). "But it came to pass after a while in the time of wheat harvest, that Samson visited his wife with a kid; and he said, 'I will go in to my wife into the chamber.' But her father would not suffer him to go in. And her father said, 'I verily thought that thou hadst utterly hated her; therefore I gave her unto thy companion. Is not her younger sister fairer than she? Take her, I pray thee, instead of her.'" At this rebuff, the anger of Samson flared up again and "he smote them hip and thigh."

A further touch of the metronymic system appears in the fact that Samson left his bride in

her father's home. Upon his return, he made the usual overtures for admission to intercourse with her, which was denied him. His right to the woman was recognized, however, and while she had been wedded to another, her younger sister was offered to Samson as wife in her stead.

This relation between Samson and the woman of Timnah is a marriage, witness the wedding feast and the use of the word *chathan*, son-in-law, or circumcised one, of Samson in the sixth verse of the fifteenth chapter. This latter word is used of a bridegroom, and incidentally reveals the fact that circumcision was originally a rite connected with the marriage ceremony. The peculiarity about this marriage of Samson lay in the fact that he did not take his wife away from her family, and evidently intended to visit her at intervals. This is a clear case of "beena" marriage, which is common in a metronymic social group. The occurrence of such a union in a patronymic group can only be an indication that the patronymic type had not by that time gained exclusive ascendancy. The "beena" marriage also indicates that a period of metronymic custom had preceded the patronymic.

"Gideon had threescore and ten sons of his body begotten, for he had many wives. And his concubine that was in Shechem, she also bare him a son." (Judges 8:31). Gideon was a polygynist, and if the record be trustworthy, he had seventy-one sons. One of these was born of a concubine who lived in Shechem. Now Gideon's

home was in Ophrah some four or five miles westward. It is evident that the connection with this concubine was not in the nature of a regular patronymic marriage. This would seem to be self-evident from the word "concubine" in our English versions. The connotation of the word "concubine" is not exactly suited to the Hebrew word in every instance of its usage, however, for *pi'legesh* denotes a comparatively permanent relationship and one which was thoroughly legitimate according to the standards of the times. It is used of the members of the harems of the kings of Israel. "Subordinate wives" might be a good term in English in these passages, rather than the word "concubines," which suggests illicit relations. When we come to consider instances of temporary marriage, we shall find this word used of such unions, which were in those ancient days regarded as legitimate relationships. The use of the word *pi'legesh* in connection with the woman in Shechem, by whom Gideon had a son, requires a translation other than that of "concubine." We maintain that this union was a legitimate one, but was a marriage of the "beena" type, which was becoming less frequent with the passing years in which the patronymic system of tracing kinship was gaining predominance. No odium should attach to Gideon for this relationship with the woman of Shechem. Under the metronymic regime, the children of such a union would be regarded as children of the mother's group. By

the time of Gideon, however, the patronymic idea was gaining the control of social customs, so that the son was regarded as of Gideon's group, yet not in full standing. The subsequent career of this particular youth is illuminating. His name was Abimelech. When he came of age, he started a plot for gaining the chieftainship. He appealed to his kin in Shechem, who aided him in assassinating the other sons of Gideon and placed him in power. Jotham alone of the patronymic sons of Gideon survived the plot. He was obliged, however, to flee from his half-brother, who held the chieftainship in the face of many plots till he fell, crushed under a millstone hurled from the tower of Thebez by a woman, as Abimelech and his men were storming the place. It is enough to note that the kin of Abimelech's mother responded to his appeal for aid in the attempt to win the chieftainship. Of course, the metronymic type of marriage had by the time of Gideon come to hold a somewhat secondary place by reason of the development of patronymic custom. Nevertheless, we depart from the connotation of the Hebrew language, if we see in the union of Gideon and the woman of Shechem anything in the way of an illegitimate connection. The marriage was of a type which had survived from the days of metronymic custom.

There appears to be another instance of "beena" marriage in the case of Amasa. The record states that "Amasa was the son of a

man, whose name was Ithra, the Israelite, that went in to Abigal the daughter of Nahash, sister to Zeruiah, Joab's mother." (II Samuel 17:25). The characterization of Ithra as an "Israelite" is extraordinary. Why should it be necessary to specify him as an Israelite in a record which is the composition of Israelites for Israelites? Some answer to this question may be found in the parallel passage in the Book of Chronicles. There we read "And Abigail bare Amasa; and the father of Amasa was Jether the Ishmaelite." (I Chronicles 2:17). To one familiar with the Hebrew and the frequent occurrence of textual errors due to mistaken letters, the answer is obvious. In this case, the reader of the English version also readily preceives the mistake, some copyist wrote "Israelite" in II Samuel 17:25 when he should have written "Ishmaelite." Specification of Ithra, or as the Chronicler puts it, "Jether," as an Ishmaelite is comprehensible enough in an Israelite document. The patronymic mind will take this connection between Ithra and Abigal to have been an illegitimate one. Recognition of the persistance of metronymic customs for a long period after the rise of patronymic types, will enable us to appreciate the case more accurately from an historical point of view. The Hebrew phase "went in to" is commonly used of sexual intercourse and often of marriage. Since Abigal remained in Israelite surroundings and her son, Amasa, came to prominence in Hebrew affairs,

it becomes evident that this is another instance of a "beena" marriage, a relic of the days of metronymy.

In the Book of Ezra, which is a composition of the days of the restoration following the exile, there occurs record of an incident which may find interpretation in the light of metronymic survivals in the Hebrew social order. In the second chapter of Ezra, there is a list of those who made the journey back to Palestine from Babylon. Toward the end of a long chapter, there is a brief list of such as "could not show their father's houses, and their seed, whether they were of Israel." Among others, occurs the mention of "the children of the priests" and among these "the children of Barzillai, who took a wife of the daughters of Barzillai the Gileadite, and was called after their name. These sought their register among those that were reckoned by genealogy, but they were not found: therefore they were deemed polluted and put from the priesthood." (Ezra 2:61, 62). The days of the restoration saw great emphasis laid upon purity of stock. Any mixture of foreign blood was regarded as a taint worthy of excommunication. If the Barzillai the Gileadite, whose descendants got into difficulty in Ezra's time, was the same one who is mentioned in II Samuel 19:32ff, we may find some light on the cause for their inability to prove their descent in Israelite stock. Barzillai provided David with aid and supplies during the troub-

lous days of the revolt of Absalom. Barzillai must have been a man of means. It is probable that one of his daughters wedded a priest. The latter was an Hebrew, but married into the Gileadite family. In proper metronymic form, therefore, the children would be reckoned as Gileadites, not Hebrews, since they would be counted as of the family of their mother. The descendants of the Hebrew priest could not find proof of their right to the priesthood in any records, although it was natural that the tradition of their claim to the priesthood would have been preserved in the family. By the days of Ezra, patronymic ideas had fully established themselves in Hebrew life, and metronymic custom had quite disappeared. Metronymic ideas and folkways which had caused the difficulty six centuries before in the days of David, were not only obsolete in the time of Ezra but had been forgotten, so that none could appeal to them for the least shred of support for the family tradition of the priesthood.

Before passing from this phase of our discussion of metronymic evidences in the Hebrew records, we would note the metronymic tone of the famous passage on marriage in Genesis 2:24, "Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh." We who read this verse in the twentieth century of the Christian era, and approximately thirty centuries after the writing of it, suppose that it expresses the patronymic

and modern idea with which we are most familiar. Once our minds have been turned toward the past and the primitive evidences of metronymy, we can catch the atmosphere of that far off day. We will then read between the lines the lineaments of a civilization other than our own, more primitive. It is doubtful whether at the time when this passage was first put into written form, there existed any such form of the family as that with which we are familiar. In our days, the young man and his bride usually separate themselves from both paternal families and institute a new group. It is this custom which we are wont to sense when we read the words in Genesis. Such a procedure was not customary in the patriarchal and earlier patronymic days, nor was it the custom of the yet earlier metronymic times. The words of the second chapter of Genesis come down from a most hoary antiquity in Hebrew life, from a period long antedating the time of the writing of the records, from a day prior to those in which men "took unto themselves wives" in patronymic style. The metronymic idea lies behind the words, "therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh."

We are not over sanguine in this connection that we can convince any as to the correctness of our conclusions except those who are somewhat familiar with folkways of primitive times among other peoples of the human family. The

records which we have of Hebrew life come from patronymic hands. Only fragmentary evidence and hints can be cited, which will be of significance to the initiated certainly, and may possibly serve to introduce some others into the fascinating study of primitive folkways. How much lies behind a word or a phrase! Blazes on the trail! When one has traveled the ancient ways in company with other living races of men, he approaches the Hebrew records with an eye quick to discern the overgrown blazes on the wayside trees, even when the ground has lost all trace of the primitive feet which passed that way. Thus it is with such a phrase as "go in to" which is used of sexual intercourse and marriage. Does it mean simply entering the woman's tent, or the inner apartment of the house? We think not. The phrase comes from antiquity which was used to folkways metronymic, according to which a man went into the family of his woman when he joined with her in the sexual relations which we call marriage. Whether he became a member of the woman's family permanently or visited her only at intervals, his seed became her seed. That is to say, patronymic ideas have reversed the ancient way. In metronymy, the man's posterity was his wife's. He passed into the future in her name.

Metronymic Evidences in the Family of Laban

The case in favor of the premise that a metronymic order preceded the patronymic in Hebrew family organization receives considerable support from a study of the family of Laban. Abraham being well stricken in age, was desirous of providing for his son Isaac a wife, but he would not have him form union with any Canaanite woman. He sent his servant accordingly back to the land of his origin to his kindred to secure a wife for his son, Isaac. The story of the betrothal of Rebekah to Isaac brings us into the midst of metronymic custom, which is not understood by the patronymic mind of the narrator.

The servant of Abraham on the quest for a wife for his master's son met Rebekah at the time of watering of flocks. As soon as the maiden learned that the man came from Abraham, "the damsel ran and told her mother's house according to these words." The phrase "her mother's house" has a familiar ring to metronymic ears, but the words are strange in a patronymic order. Throughout the story it is, moreover, the brother and the mother of Rebekah who figure as the prominent parties in all transactions concerning the betrothal. Presents are given to Rebekah and also "to her brother and her mother." (Genesis 24:53). It is her brother and her mother who give permission at length for Rebekah to be taken to Isaac. (verse 55). Why should the brother of the girl enter into the

affair at all? Only the metronymic order can reply satisfactorily to this question. In the mother-kin family, it is the mother's brother who is head of the family, or in case of the death of the older man the lead descends to the next generation. In consistently metronymic fashion, the brother is always mentioned before the mother. Only when the metronymic family is confused with that which is properly called the matriarchate, does there rise any difficulty in the mind concerning the supremacy of a man in a metronymic family. The latter is simply a social order which customarily traces kinship through the mother. The mother is a prominent member of the group, but males may be at the same time, and usually are, the more powerful members.

Some would have it that Rebekah's father had died. Thus they would account for the conspicuous absence of a paternal hand in the affairs of the betrothal. One very serious obstacle in the way of such a contention is the mention of the name Bethuel in the course of the story. (verse 50). Of course, there remains the process of declaring that mention of Bethuel in this passage is due to some error. One may then remove the difficulty, but not without a suspicion of malpractice.

The sociological student who is without any prejudices in favor of patronymic types, can readily explain the situation in terms of a metronymic family. The evidences which have already been cited are further supported by

other facts. In giving the statement of her kinship to Abraham's servant, Rebekah used the metronymic formula, "I am the daughter of Bethuel, the son of Milcah, whom she bare unto Nahor." (V. 15). In repeating the account, the servant modified it into the patronymic form, "the daughter of Bethuel, Nahor's son, whom Milcah bare unto him." (V. 47).

The crux of the matter lies, however, in the determination of the sex of Bethuel. While tradition has regarded the name as that of a male, we make bold to assert that the name is that of a woman, the mother of Rebekah. The father of Rebekah does not appear in the transactions at all, simply because he is not there, is not a member of the group. Patronymic obsessions, which are most natural after a people have been steeped in such an order for centuries, have obscured the fact. The alternative is to do violence to the text in excising the word "Bethuel" altogether, as some have suggested. Some emendations of the text at a few places must be made, if we accept the name "Bethuel" as that of a woman; but these changes are negligible in comparison with the proposal to eliminate a proper name altogether. The changes which we propose on the basis that patronymic editors have misunderstood metronymic custom, aim simply to reverse just such modifications as this misunderstanding would create.

More convincing evidence is at hand for maintaining that Bethuel is the name of

Rebekah's mother and not that of her father. The lexicographers have without exception been hard put to it to discover a masculine derivation for the word "Bethuel." Those who are familiar with the Hebrew, understand the significance of this fact. The standard lexicon of the Hebrew language is obliged to assert that by some unusual process the first radical has suffered change from an original *mim* to its present form of *beth*. Then we are proffered a supposititious original form of the name as *Methuel*, meaning "man of God." If one is prepared to accept "Bethuel" as the name of a woman, however, there is at hand a simple derivation of the name from the two words *bath* and *El*, "daughter" and "God," with the composite meaning "daughter of God." The name is then seen to be similar to that of Rachel in form, in that unlike most feminine proper names which end in the characteristic feminine termination *ah* like Milcah, Leah, and Rebekah, it is not distinguishable from a masculine form. There is nothing unusual in the combined form *Bethuel*. The *nomen regens* in this phrase which has become a proper name, is *bathu*. This may be taken to be an ancient genitive form like that which still appears in the Arabic, and of which there are occasional instances in Hebrew. For example, *chayetho 'erets*, "beast of the earth," in Genesis 1:24 may be cited.**

**See Gesenius' Hebrew Grammar, 2nd English ed., §90.o, for other instances.

The revision of the text which becomes necessary when Bethuel is understood to have been the mother of Rebekah, involves the change of eight words from the masculine to the feminine form. We may enumerate them. In Genesis 24:15, 24, 47 the word *bath*, "daughter," should be read for *ben*, "son." In Genesis 25:20 and 28:2, 5 *'arammiyah*, (feminine of "Aramean") must be read instead of the form *'arammiy* (the masculine). Also in Genesis 28:2, 5 *'ammiy*, "mother of" is to be read instead of *'abhiy*, "father of." These revisions are chiefly in endings indicative of gender, which cannot weigh as heavily as the alternative of excising the proper name "Bethuel." Furthermore, those who wrote the narratives for the first time were living in a patronymic order.It is by no means improbable that the patronymic misunderstanding with regard to Bethuel had arisen before the time at which the stories were put into written form, while they were preserved only in the memories of those whose duty it was to recite the story of the past on occasion.

In one of the two other references to Bethuel in the genealogies, there is a rather convincing bit of evidence that this is the name of a woman. The English versions obscure the point, however, by a possible, but quite exceptional, rendering of a Hebrew word. The translators betray themselves as patronymic, when they render Genesis 22:23, "And Bethuel begat Rebekah." The word *yaladh* may be translated

"begat;" but the usage is preponderatingly in favor of the translation "bring forth," or "bear." That is to say, the word is more often used of the woman than of the man. Patronymic influence has brought about the translation "begat." And the same mistaken influence has gone a step further in the version of the Old Testament which is known as the Samaritan Pentateuch, where the word has been rendered in its causative stem, and is to be translated, "caused to bring forth."

When it is recognized that Bethuel is the name of Rebekah's mother and due allowance has been made for patronymic modification of the narrative before it took written form, through misunderstanding of the fact, the story appears in natural color as presenting the appeal from a patronymic group for the hand of a maiden in an older metronymic family. The granting of the request and the permission for Rebekah to accompany the servant of Abraham were acts contrary to the old order of things. The decision was made only after grave consideration and conference between all parties to the transaction.

The story of the relations between Jacob and the family of Laban further substantiates the claim that the Aramean group was metronymic. The union of Jacob with Laban's daughters was in the nature of a "beena" marriage. Jacob entered the family of his wives. The right to the children lay with the family of the mothers. Jacob seems to have known this, because he

arranged his departure by stealth. The reason which he gave to Laban, when the latter had pursued after and caught up with him, was, "Because I was afraid: for I said, 'Lest thou shouldest take thy daughters from me by force.'" (Genesis 31:31). Even more significant is the wording of Laban's protest, "The daughters are my daughters, *and the children are my children*, and the flocks are my flocks, and all that thou seest is mine: and what can I do this day unto these my daughters, or unto their children whom they have borne?" (Genesis 31:43). Laban expressed his right to the women and to their children, even as Jacob declared that his knowledge of this right was the cause for his surreptitious departure. In the wilderness, it was not easy for Laban to assert his claim and cope successfully with Jacob. Possibly, Jacob could have persuaded Laban to relinquish claim upon the wives, children, and property even without flight; but the departure by stealth while Laban was away shearing the sheep, gave Jacob the upper hand. Jacob could not have secured permission to depart with his wives, children, and property without great difficulty, for the mere request which he made at the first of his desire to return to Palestine, was met by a polite hint that he should remain with the Arameans. (Genesis 30:25). The tone of the whole narrative is peculiar when viewed from a patronymic point of view; but it becomes thoroughly comprehensible, when one recog-

nizes the metronymic character of the social group of which Laban was the chief figure.

If the relationship between Abraham and the Aramean group of Laban was historically such as these stories indicate, then the narratives give still further basis to the supposition that Hebrews followed a metronymic system of tracing kinship before they passed into the order of a patronymic organization.

Summary We may sum up the evidence of a metronymic system of tracing kinship among the Hebrews. In the earlier records, the mother appears as a prominent figure in the family in that she is the one who gives the name to her children in most of the instances narrated. With decreasing frequency, the mother names the children as we proceed to successive documents in the chronological order of the production of the several portions of Hebrew literature. In the later periods, especially in that following the exile, names seem to have been given exclusively by the father. "Namen giebt wer das Eigenthumsrecht hat," as Gunkel says in his commentary on Genesis, "Who has the property-right, gives the name." If we could secure the evidence, or rather the information, with regard to times in Hebrew life more primitive than the historical periods, we may be sure that we should find the social order was metronymic as far as the tracing of kinship was concerned. The marriage of a half-brother and half-sister,

using patronymic terms as descriptives, is also a relic of metronymic days. Several evidences of such marriages appear in the records; and the attitude toward such unions which is found in the law codes would indicate that they were of frequent occurrence. The numerous instances of "beena" marriage are clear indications of a day in which kinship was traced through the mother. The evidences are such as to warrant us in maintaining that the development of the Hebrew civilization followed the course of many other human groups in kinship organization.

Chapter II

THE RELATIVE STATUS OF MEN AND WOMEN

THROUGHOUT most of the history of the Hebrew people, men have been the more prominent sex. The patronymic idea has prevailed. A few exceptions such as Deborah and Queen Athaliah only serve to emphasize the secondary position which was the lot of most of their sex. Could we pierce through the mists to discover the true picture of conditions in the days when kinship was traced through women, we might discover something a little more attractive in the lot of the sex. Bethuel appears to have had more part in the arrangement of family affairs than most of her sex in later days. Yet even in a metronymic group men are the stronger physically, although their endurance may not be as great as that of women. Laban was the real leader of the metronymic group, of which Bethuel was the prominent woman. A metronymic group must not be confused with a matriarchate, which denotes the rule of women. In the primitive days of the "judges" in Israel, soon after the immigration into the land of Canaan, there appears the figure of a woman who had the ability and the will to rule. This Deborah, wife of Lappidoth, was an Ephraimite woman. The first great victory against the

Canaanites after the death of the Israelite general, Joshua, came about through the tact and inspiration of this "judge." She appointed Barak of the tribe of Naphtali to be commander of the Israelite forces, and summoned the tribes to battle against the forces of Jabin, Canaanite king of Hazor. On the plain of Esdraelon, the battle was joined. The river Kishon flooded its banks and bogged the chariots of the Canaanites, so that Israel had the better of the fortunes of battle. Another woman, Jael, wife of Heber the Kenite, struck the blow which slew Sisera, the Canaanite general, and brought the day to a bloody and victorious close, when she drove a tent-pin through the temple of the fugitive lying in her tent in the sleep of exhaustion. (Judges 4, 5).

When opportunity offered, there was no extraordinary obstacle in the path of a woman who had the ability to win her way to power even in a patronymic social order. Thus Athaliah, daughter of the famous King Ahab of Israel, took the reins of power over Judah on the death of her son, Ahaziah. She executed all the seed royal in order to assure herself the throne. Seven years she reigned, until a *coup d'etat* on the part of Jehoiada, priest of Yahweh, brought to light the seven year old Joash, who had been rescued from the sword, heir proper to the throne. At the shouts of the people in the temple area, Queen Athaliah made her way up from the palace to ascertain the cause. A single glance at

the little prince standing beside the priest on the temple steps told her the whole. She shouted, "Treason, treason!" None responded to her appeal for support. "Have her forth between the ranks, and him that followeth her slay with the sword," was the command of the priest. Unless necessity demanded, he would not desecrate the court of the temple with the execution. There is something majestic in the death of this queen, so suddenly deposed. It is written, "So they made way for her; and she went by the way of the horses' entry to the king's house: and there she was slain." (II Kings 11:16).

In the J Document The man is, however, the central and prime figure in the family throughout the Old Testament, and in general he is the leader in all its functions. Again in our consideration of this matter of the relative status of the sexes, we shall arrange the material according to the chronological order, proceeding from the earlier documents to the later. The story of Adam and Eve has often been taken to support the theory of the equality of the sexes. "And the Lord God said, 'It is not good that man should be alone; I will make him a help meet for him.'" (Genesis 2:18). Now a careful and discriminating study of the passage, together with a knowledge of the facts of the patronymic Hebrew life of the succeeding generations, lead to quite different conclusions. The verse which we have just quoted means that the

ancient Hebrews regarded woman as the helper of man, his subordinate, the one who worked for him. Such was woman in the Hebrew family from the days of historical beginnings. What position she may have held in the pre-historic metronymic life, we cannot say with assurance. The chances are that she had not a greatly superior position.

Much has been written about the creation of woman from the rib of man. Some have found romantic delight in the thought that the Creator took a rib because it was near the heart of the man, so that the new creation might ever be his heart's delight. Generally speaking, the Hebrew did not consider the heart as the seat of the emotional affections. These he located in the bowels. The heart he regarded as the seat of the rational powers, It might be more properly said, therefore, were we to adopt this rather antiquated type of interpretation, that woman was made of the rib of man in order that she might ever after be the main support of his vital processes. The true position of woman in relation to man is depicted in the succeeding chapter. Of course, this is a description of her lot after the "fall;" nevertheless, so little time appears to have elapsed between the creation and the "fall" that any perfection was certainly short-lived and, therefore, rather negligible in the sight of the historian. The curse of woman is like the other curses on the serpent, and on man,—the crude and naive explanations of the primitive mind

striving for an answer to the perplexing mysteries of its existence. Without scientific apparatus, or long-continued collection of data, the primitive man guessed at the meaning of life, or charged his ills to the curse of God. The description of the curse upon the serpent is a picture of what the ancient Hebrew thought of the snake. He saw a creature which wiggled along on its belly without the aid of legs. He did not know that snakes eat insects, frogs, and the like. Not till science gathered the facts from careful observation, did the world come to appreciate snakes, knowing the truth about them. The Hebrew thought that they lived on dust, and assigned the reason for this to the same cause as that which he thought doomed the creature to be legless.

The position of woman in the historical period of the Hebrew social order is outlined in the record as also due to the curse of God. "Unto the woman he said, 'I will multiply thy pain and thy conception; in pain thou shalt bring forth children; and thy desire shall be to thy husband, and he shall rule over thee.'" (Genesis 3:16). There it is succintly put as an epitome of the drab, painful, toilsome, slavelike existence of the Hebrew woman. She was the possession of her lord and master, doomed to obey his slightest wish, exalted only to the painful destiny of bringing progeny into the world to perpetuate the family name. The ideals of life are not to be found in the dim and distant past. The ideals

are in the future. Of the two, the worship of posterity is preferable to the worship of ancestors. Why should we strive to read into the early chapters of Genesis sentiments which it has taken all these intervening centuries to create under the divine Providence? A brief glimpse of the facts of the primitive realities will cause any man or woman to thank God and take courage, in view of the great ascent of humanity from the brutal to the sublime.

Consider Abraham, generally reputed to be a primal father of the faith. What shall we say of his chivalry? As he entered the land of Egypt with his attractive wife, Sarah, he approached her with these words, "Behold now, I know that thou art a fair woman to look upon. And it will come to pass, when the Egyptians shall see thee, that they will say, 'This is his wife;' and they will kill me, but they will save thee alive. Say, I pray thee, thou art my sister, that it may be well with me for thy sake, and that my soul may live because of thee." (Genesis 12:11-13). The subterfuge did not accomplish the desired result, as far as the safety of Sarah was concerned, although it did possibly spare Abraham any fear for his life. Probably it was true that the possession of a beautiful wife would be a menace to the safety of a stranger in any primitive group. A brother might receive rich gifts when his sister became a member of the harem of the mighty, whereas a husband would get but a knife in the ribs. The implication of the story is

that Sarah proved herself a true wife, in that she was ready to surrender even her honor rather than that any harm should befall her lord. Yahweh intervened to bring things out well in this instance.

Lest any should think that we have overstated the case in remarking on the ideal of the dutiful Hebrew wife, we must cite another story, horrible though it is. In the days of the "judges," a certain Levite was dwelling on the mountain slopes of Ephraim. He was not in good circumstances, such as would permit him to marry and maintain a wife continuously, so that he must perforce arrange for a marriage of a temporary type. We cannot go into the details of the story here as we purpose to do at a later chapter, where it is proper in the discussion of marriage forms. We assume that the conclusions which will be achieved there have been proven, and that the relations between the Levite and the woman who figures in the story were those of man and wife. The term of marriage came to an end and the woman returned to her father's house. After an interval, the Levite went to make arrangements for another term of wedded bliss. The father of the woman urged him to prolong his stay with him, which he did, remaining there five days. Only toward the evening of the fifth day was he able to tear himself away from the cordial hospitality of his father-in-law. Belated, the couple found themselves passing through the town of Gibeah just after

sundown. They chanced to meet a man returning from his labors in the field, an Ephraimite like the husband, but sojourning in the Benjamite town of Gibeah. They were cordially received at his house and sheltered for the night. While they were enjoying themselves during the evening, a gang of rowdies passed by and stormed the doors, demanding that the stranger be delivered over to them. Remonstrance was in vain. At length, as a last resort, to prevent the breaking down of the doors, which would subject the whole household to the violence of the attackers, the Levite took his woman and put her out through the door. How far have men travelled from such a day! Long since, have they achieved the ideal of fighting for their women, nay, for all women. Only over their dead bodies, would the rowdies of any modern town come at the precious bodies of the women. "Then came the woman in the dawning of the day, and fell down at the door of the man's house where her lord was, till it was light. And her lord rose up in the morning and opened the doors of the house, and went out to go his way. And behold, the woman, his concubine was fallen down at the door of the house with her hands upon the threshold. And he said unto her, 'Up, let us be going;' but none answered." (Judges 19:26-28). The designation of the woman as "concubine" of the man is not an apt translation, as we note elsewhere; but even so, the modern would require of a man that he protect womanhood, even

a concubine. The times were rough; the manners were primitive. The golden age lies ahead.

The chief objective of a woman's life was the bearing of children. An unmarried woman is hardly ever noted in the records. There were probably few such. In a patronymic family, children were most desirable, not only males as a perpetuation of the family line, but children of both sexes as added hands to labor for the group. The childless woman was in disgrace and disfavor. She might resort to securing children by legal fiction. Thus did Sarah, wife of Abraham. She said to her lord, "Behold now, the Lord hath restrained me from bearing. Go in, I pray thee, unto my handmaid; it may be that I shall obtain children by her." (Genesis 16:2). The Hebrew word which is translated "obtain" is *banah*, which means to build up, as of the erection of a house. This is an exceedingly apt figure. By the device of a legal fiction, Sarah could claim the children of her slave-girl, begotten by Abram, as her own, and thus she could win for herself the coveted position of mother of her lord's children and of the heir to the family name. She could thus build up her own position under the norms and standards of the social order.

It is worthy of note that this legal fiction of securing children by proxy was recognized in ancient Babylonia as the Code of Hammurabi witnesses. The particular cases cited are those of "votaries" who may have married and prove

childless. Furthermore, it is the man who takes steps to secure children by the introduction of a secondary wife in one instance. (§145). The next section, however, (§146) seems to imply that the barren wife might also initiate the fiction.

The unmarried women of the early Hebrew society had a large degree of freedom, much more than that of most Muslim women today. They went about their duties in the "open field," or country, caring for flocks and herds like Rebekah, or the daughters of Reuel, the Midianite, or the maidens whom Saul met as he searched for the asses of his uncle. (Genesis 29:10; Exodus 2:16; I Samuel 9:11). In the rough and troublous times, they occasionally suffered wrongs, but usually custom and their modesty protected them. Dinah was violated by Shechem, as she was out to make some calls upon "the daughters of the land." (Genesis 34:1). The fact that she was not of the race of the inhabitants who were in power may have had something to do with the case. Even today the women of foreign, or so-called lower races, are in a more dangerous position than are native women, unless it be in a land which is under the dominance of foreign conquerors, or among "backward" peoples where the real power is in the hands of foreigners. After marriage, women appear to have been more or less secluded. When strangers approached the tent of Abraham, Sarah his wife withdrew to the

inner apartment, whence she did not emerge even to serve the strangers with food. (Genesis 18:9).

In the E Document The E document of the Hexateuch presents a similar picture of the secondary status of women. There is in a law code which is part of this document a requirement that "three times in the year shall all males appear before the Lord God." (Exodus 34:23). Nothing is said at all about the attendance of women. Possibly, the mention of the males was intended to comprehend their families also. More probably, the women are ignored altogether as beings of an insignificant character in the matter of religion. This document also includes an incident in the life of Abraham and Sarah parallel to that in the J document in which the fib of Abraham brought Sarah into the harem of the Pharaoh. (Genesis 20). In the E document it is Abimelech, king of Gerar, who took Sarah, and the fib is given a species of truth in the notation that Sarah really was the half-sister of Abraham. One cannot help asking why Abraham did not frankly say, "She is my wife, let her alone." Without the detail of the J document, the story in this E document betrays the same slight upon womanhood and the dominance of the male in the sphere of wedlock.

Abraham's treatment of Hagar is another indication of the lot of womanhood in those

primitive days. When Sarah had in her age produced an heir to the name of Abraham, there arose jealousy between the chief wife and the slave-girl, who had borne the older son to the patriarch. Matters went from bad to worse, until Abraham could stand the bickerings no longer. He yielded to the importunities of Sarah and dismissed Hagar from his presence. So "Abraham rose up early in the morning and took bread and a skin of water and gave it unto Hagar, putting it on her shoulder, and the child and sent her away: and she departed and wandered in the wilderness of Beersheba." (Genesis 21:14). The man was sole authority. From his decision there was no appeal. Divorce would have been as simple as this dismissal of the slave-girl who had borne a son to the patriarch. In fact this was a divorce, for Hagar was actually a wife of Abraham, although subordinate to the chief wife, Sarah.

In Deuteronomy In the Deuteronomic law, which was produced during the seventh century B.C., there was incorporated a law mitigating the lot of the divorcee considerably. (Deuteronomy 24:1-4). By this law, there must be a good reason advanced for the separation, and the husband must prepare written papers of divorce to be given to the woman. In the incident of the banishment of Hagar by Abraham, there appears to have been no such consideration of the woman. She was driven out with

no evidence that she had ever been in good standing. The fact that she was a slave-wife may have had something to do with this, but we are inclined not to think so. The earlier law codes are silent on the matter altogether. The appearance of a specific clause in the later code of Deuteronomy implies that new legislation has been introduced. We can judge the former procedure only by the one case cited.

The condition of women as compared with that of men is revealed in the Deuteronomic records more clearly in the regulations of the treatment of women taken captive in war. Women have at all times been the greatest sufferers in war. According to the Deuteronomic statement concerning the capture of the cities of Bashan and Heshbon, there was a complete annihilation of the population, specific mention being made of the slaying of the women and children. "And we took all his (Sihon's) cities at that time, and utterly destroyed every city of men with the women and the little ones. We left none remaining. Only the cattle we took for a prey unto ourselves. (Deuteronomy 2:34, 35) . . . All these were cities fortified with high walls, gates and bars, besides the unwalled towns a great many. And we utterly destroyed them, as we did unto Sihon, king of Heshbon, utterly destroying every city of men with the women and the little ones." (Deuteronomy 3:5, 6). The reason for this wholesale slaughter of the population of captured cities is given at a later

section of the book. It appears to have been a religious reason. If the city which had been captured were situated far off from the location of the Hebrews themselves, then the women and little ones as well as the cattle might be preserved alive. In the case of cities which lay in the territory wherein the Hebrews purposed to settle down, then said the law, "thou shalt save alive nothing that breatheth, but thou shalt utterly destroy them . . . that they teach you not to do after all their abominations, which they have done unto their gods. So would ye sin against the Lord your God." (Deuteronomy 20:10-18). A woman who had been taken captive by a Hebrew warrior was to be permitted to mourn for her parents for one month, after which she should become the wife of her captor. Specific notation is made, however, that should the man tire at length of his wife whom he had secured through capture in war, he might not sell her as a common slave, one whom he had purchased in the mart with money. He must let his captive wife go free, if he tired of her, because he had "humbled her," to use the words of the record. (Deuteronomy 21:10-14). This provision is thoroughly characteristic of the Deuteronomic code, which reveals an attitude toward womanhood of a gentler and more considerate nature. The nation was progressing in ideals and working toward a better relationship between men and women than that which had prevailed in former days.

In the Priestly Document When we come to consider the lot of captive women as it is provided for in the later code of the Priestly document, there appears just that modification of the rule which should be anticipated in view of the highly ecclesiastical tone of the document. Moses is pictured as being highly displeased with the returning Israelite warriors in that they had saved alive as captives "the women of Midian and their little ones." "Have ye saved all the women alive?" said he, "Behold, these caused the children of Israel, through the counsel of Balaam, to commit trespass against the Lord in the matter of Peor, and so the plague was among the congregation of the Lord. Now therefore kill every male among the little ones, and kill every woman that hath known man by lying with him. But all the women-children that have not known man by lying with him, keep alive for yourselves." (Numbers 31:15-18). This is practically in agreement with the Deuteronomic interpretation of the ancient procedure, except that the lines of sacerdotal distinctions of the pure and the impure have added to the specifications details which are consonant with the strictures of legalistic religion.

The P document of the Hexateuch shows the position of woman to be entirely subordinate to that of man. In the matter of vows particularly, this document reveals the contemporary point of view. The father of a virgin had absolute power

to nullify any and all vows which the girl might make. The husband also had the right to nullify a vow made by his wife and thus to release her from the fulfilment thereof. (Numbers 30:3-8). Thus it appears that the male had power over the religious acts of the female. Even a widow is not bound to her vow, if before his death her husband had forbidden the performance of it. The male represented the family in religion as in other spheres of life. The family exponent was the father. The patronymic and patriarchal power had become supreme by the time of this document, namely the exile and the fifth century.

A much more definite statement of the comparative status of men and women in the time of this P document appears in the list of rates for commutation of vows to money payments. (Leviticus 27:2-7). The vows referred to are probably those of Nazirites, and were in the nature of self-denials like the modern vows of the Lenten season. The relative values of the sexes may readily be deduced from a table setting forth the rates of commutation.

Ages.	Estimated Value.	
	Male	Female
20—60 years.	50 shekels	30 shekels
5—20 years.	20 shekels	10 shekels
1 month—5 years	5 shekels	3 shekels
60 years upward.	15 shekels	10 shekels

In the prime of life and in youth, the male is

valued at about twice the worth of a female from the standpoint of religion. Consistently at all ages, the man is counted of more worth than the woman. Possibly, our boasted modern civilization has not reached a different estimate. May it be that we are entering upon an era in which woman shall stand fully equal with man?

The P document is abnormally fond of genealogies. One might almost say that genealogy was an obsession of the age. The lists are thoroughly masculine, however, for mention of a woman is rare indeed. In but three instances in the genealogical list in Numbers 26:2-49, does the name of a woman occur. The daughters of Zelophehad are mentioned by name, five of them, because their father had no sons. (Verse 33). Jochebed, wife of Amram, is named by reason of her importance as the mother of Aaron, Moses, and Miriam. (Verse 59). The third instance challenges the imagination. No answer is forthcoming, however, to account for the insertion of the simple line in the record of the family of Asher. "And the name of the daughter of Asher was Serah." (Verse 46). What was the fame of Serah? How came she to be one of the exceptions, whose names are mentioned in this list, where men hold the predominance? History is otherwise silent. The attitude of the chapter in general, however, is thoroughly characteristic of the P document as a whole. The male mind ruled.

In the Period Following the Exile

When we consider the period following the exile, we find woman still in a subordinate position. Yet there is a modicum of greater honor and regard for her. The tribute to a housewife which may be found in the last part of the thirty-first chapter of the Book of Proverbs, could not have been written in a time when women were mere chattels. Nevertheless, the tribute is far from modern. By far the greater part of the commendation is that of a busy, capable housewife. One verse alone sounds a note of intellectual or moral worth. "She openeth her mouth with wisdom, and the law of kindness is on her tongue." (Proverbs 31:26). Quite evidently the writer had the feeling that "woman's place is in the home." In that he may be regarded as quite modern, except that there is a new idea astir in our time. The new idea will not destroy the domestic worth of womanhood, but on the other hand it is bound to open the doors of opportunity to women. The woman of the future will be no less admirable as a housewife; but she will be more. She will be the equal of her husband in the gates, and her voice will answer his on the playing field, even as her franchise and legal status will raise her to equal footing with him in affairs of state and commerce. The study of the past often aids us to view the future.

The background of the literature which is known as the Wisdom Literature is the later days of Jewish history, just before Alexander

swept over the east and brought it under the dominance of western culture. The status of womanhood in this period was much higher than it was in the days before the exile. Monogamy seems to be the type of union between the sexes. As the passage in Proverbs indicates, there was quite high regard for womanhood in many quarters. In the same book, however, we catch a familiar tone of masculine antipathy to the female, which is not wholly foreign to moderns. "It is better to dwell in the corner of a housetop, than with a contentious woman in a wide house." (Proverbs 25:24). The writer of Ecclesiastes also betrays an acrid regard for the opposite sex when he writes, "One man among a thousand I have found, but a woman among all those have I not found." (Ecclesiastes 7:28).

Summary In no period of Hebrew history does a woman stand on the same level with man. She is subordinate and frequently she is in a servile state. It seems to be the case that her position had improved slightly by the later period following the exile. Yet the type of family was still patronymic, and the male held the upper hand. There remained a great task for the human race to accept. By little and little, the male has come to the realization that chivalry and reverence are not altogether matters of words and polite manners. The modern age is witnessing a splendid era in the history of emergent womanhood. Will it spell equality in fact? The sign-posts of the past would seem to point to such a consummation.

Chapter III

TRIBAL RELATIONSHIPS

Nomenclature

IN those times when tribal distinctions were prominent in the Hebrew mind, there was a fairly consistent nomenclature for the various larger or smaller groups which went to make up a tribe. The usual subdivisions of a tribe were those which are noted in the story of Achan, whose violation of the ban against taking spoils in the attack on Ai resulted in the first defeat of the invading tribes under Joshua. After the defeat, Joshua is said to have assembled the tribes in order to discover the cause of the disaster. It is probable that lots were cast to disclose the guilty party. "So Joshua rose up early in the morning, and brought Israel near by their tribes, and the tribe of Judah was taken." The word which is used here for tribe is *shebhet*. This was the usual term for the larger group within the nation. "And he brought near the family of Judah, and he took the family of the Zerahites." The subdivision next largest to the *shebhet*, tribe, was the *mishpachah*, which is rendered by the English word "family" in the translation we have just quoted. In the passage as it stands, this word *mishpachah* would seem to be synonymous with the former word *shebhet*. The Septuagint, however, reveals the fact that

originally the plural form was used in the first occurrence of the word in this verse. The context also requires that the plural form should be read, *mishpachoth* rather than the singular, *mishpachah*. "And he brought near the families of Judah, and he took the family of the Zerahites." The term *mishpachah*, then, represents what would be called in the English "sept" or "clan." The record continues, "And he brought near the family of the Zerahites, man by man." The word *gibbor* which occurs in the phrase, "man by man," means a man who magnifies himself, is bold or audacious. It is the term for a leader in times when martial prowess was at a premium. "Sheikh," or "chief," would express the idea in modern terms. "And Zabdi was taken. And he brought near his household, man by man, and Achan . . . was taken." (Joshua 7:16ff). The word rendered "household" is *beth*, a term denoting the smallest unit of the kinship group.

From the passage cited, therefore, we derive the following nomeclature of the tribal subdivisions among the Hebrews. The tribe as such was called *shebhet*. The lesser unit was the *mishpachah*, or clan. Within the *mishpachah* were the least units of the *beth*, household, over each of which there was a *gibbor*, or sheikh. The *beth* consisted of several such groups as we commonly designate a family in modern terms, namely a group composed of father, mother, and the children.

Another term is found in some instances rep-

resenting the same group as that which is denoted by *shebhet* in the passage cited above. The other word is *matteh*. Both *shebhet* and *matteh* have the meaning "rod," or "staff." They may possibly be derived from the rod carried by the tribal leader in the nature of a king's sceptre. S. R. Driver*argued for the contemporaneous and ancient use of both words for the same gentilic division, a tribe. Without doubt the two words are synonymous; but the fact should not be overlooked that the usage of the word *matteh* is confined to the late element of the Hexateuch, the P document, and other compositions of the later period of Hebrew history. This being the fact, we are inclined to disagree with the conclusions of Dr. Driver. Gentilic terms are very loosely used especially in these days, when tribes, septs, clans, and the like lie so far removed from the contacts of every day.

Even the experts are not consistent one with another in definition or application of terms; and the usage among different peoples and races varies also. One is agreeably surprised, then, at the comparative consistency of the usage of terms in the Old Testament. The word *shebhet* occurs appropriately one hundred and twenty-three times in its derived sense of "tribe." Only three times, is it inappropriately used of some group other than the tribal unit. A fourth misuse might be cited in the existent text in I Samuel 9:21; but this is due to a textual error

*Journal of Philology. 1882. xi. p. 213.

which should be corrected by reference to the Septuagint. These misuses are found in passages which are of late origin. There seems, therefore, to have been a period in Hebrew history when the significance of the tribes faded and was disregarded. The later monarchy with its city life tended to obliterate the tribal distinctions. Men came to be specified by the city or district of their origin rather than by such a vague kinship notation as a tribal name. When interest in the tribal relation sprang up again, a term synonymous with the ancient word *shebhet*, which as we noted means "staff," came to be used, namely the word *matteh*, "staff." The latter word had come into Hebrew usage in the interim, whereas *shebhet* probably had somewhat of an antique flavor. *Matteh* was therefore preferred to the older *shebhet*.

The tribe of Levi may serve as an illustration of the course of tribal interest, although the facts with regard to this particular tribe are the subject of controversy. It seems to have been the fact that Levi together with Simeon, even before the days of the sojourn in Egypt, occupied a region in the neighborhood of Shechem in central Palestine. (Genesis 34). A deadly dispute arose with Canaanite neighbors, and the Hebrew tribes were so sorely treated that they never fully recovered. They were forced to migrate. It is probable that they moved toward the Negeb, or the great pastoral plain southward from Hebron. The records declare that Moses,

Aaron, and Miriam were of the tribe of Levi. (Exodus 2:1). This would indicate that the tribe of Levi had participated in the movement into Egypt along with the other Semitic and Hebrew groups in days which from the Hebrew point of view are pre-historic. The work of Moses and Aaron gave to this tribe of Levi a peculiar association with things priestly, which clung to the members thereof for a long time, and in fact never died out.

The tribe of Levi, however, as well as the other tribes, appears to fall into disregard during the latter years of the monarchies. After the exile in the period of the restoration, the tribe of Levi in particular once more assumed large significance. With the rebuilding of the temple, the Levites were given prominence in connection with the renewal of the ceremonial. Whether the individuals who are named as members of this tribe of Levi in the records of this period were *bona fide* Levites by birth, or were nominated such by some ecclesiastical fiction, it would be hard to say. It is significant, however, that whereas most of the list of those who returned to Jerusalem are distinguished according to the city of their origin, or by the name of their father, the Levites are set apart in relation to their ancient tribe. This fact also gives weight to the supposition that the most of the tribes had lost their significance during the later monarchies. The tribe of Levi preserved their connection more than any other tribe. A peculiar pride

in the kinship of Moses and the usual strength of the religious sentiment in their history would conspire to preserve a Levite's genealogy much longer than the average.

Another term representing a tribal subdivision occurs in the First Book of Samuel 18:18. Nowhere else is the term used in this gentilic sense; but it is of such import as to warrant especial note. When it had been hinted to David that Saul would not look askance at a request for the hand of the princess Merab, his response was, "Who am I, and what is my life, or my father's family in Israel, that I should be son-in-law to the king?" The English versions have somewhat obscured the import of the passage, as they often do in cases where the meaning is difficult to win in the Hebrew. As the italics of the Revised Version indicate, the word "or" is not in the Hebrew. Sometimes the Hebrew idiom is such that words must be inserted in order adequately to the meaning in English. There is no need for this here. The "or" should be left out. Then the words "my father's family" appear as an interpretation of the preceding phrase, "my life." This latter word, *chay*, is evidently an ancient gentilic, the meaning of which had become obscure by the time of the writing of the records, or at some later date, so that an editor must needs insert an explanatory phrase that the meaning might be clear to all who read. The editor's word in definition of the antique expression is *mishpachah*, which is the usual term for such a sub-

division of a tribe as we would call a clan. We cannot be certain that the editor used his terms with care or with a full understanding of the niceties of gentilic usages. In the absence of other definition, however, we must tentatively at least accept his word. The meaning of *chay* is, therefore, a clan. This word is far more suggestive of the basis of clan life than any of the others which we have noted.

Tribal Bonds. **1.** *Vital Ties*

Chay means life. The ties which bound such a group together were vital. Does the word imply more than that kinship is recognized as a life together? There are other possible implications which are supported by the records of clan life in the Old Testament. The larger kinship groups such as a clan were allied for mutual offence and defence in war. This is certainly a vital tie, especially in a primitive group surrounded by hostile neighbors like those among which the Hebrews lived. Furthermore, the vital tie may have included also the obligation to avenge the shedding of the blood of a member of the group. Whether this old word *chay* had such connotations originally or not we find that the Hebrew tribal groups as such were united on just these bases, even as other Semitic peoples were.

Mutual Alliance for War

There is ample evidence that the Hebrew tribes were united for war. The period of the conquest was such as to make the alliance for

war most important. The idea that the tribes entered Canaan as a well-regulated army under the leadership of Joshua, and conquered the land in a well-planned campaign from section to section, has long since been shown to be the imaginative theory of the later writers of the exile and the time of the restoration which followed. The older records indicate that many of the tribes were already in Canaan when the Joseph tribes made their invasion from the east. In all probability, some of the tribes invaded Canaan from the south. Certain it is that several of the tribes found great difficulty in securing a permanent foothold and were compelled to shift their location one or more times before they secured a permanent abode. A notable example of such a change of location within Canaan is recorded in the case of the tribe of Dan. Originally, the tribe settled in the hill country of Ephraim, whence they migrated to the extreme north of Palestine. (Joshua 19:47. Judges 17). There was, moreover, throughout Hebrew history a line of cleavage between the Judean group to the south and the other tribes in the north. This division speaks against a cooperative invasion. Saul and David succeeded in binding the two sections together fairly well, and Solomon kept the bands on a swelling disaffection; but the rupture came at Rehoboam's accession to the throne. The disunion continued with varying degrees of antagonism down to the passing off stage of the northern group of tribes

in the deportation by Assyria in 723 B.C. In spite of the fact that we cannot affirm a united Israel from first to last, the fact remains that the modicum of cooperation which did exist between the tribes was based upon mutual alliance for war either offensive or defensive.

The basis of union in warlike operations appears in one of the earliest bits of literary composition in the Hebrew language, the "Song of Deborah." (Judges 5). This highly poetic description of a struggle between Hebrew and Canaanitish forces, embodies praise and honor for such tribes as rallied to the standard of Yahweh, and curses for those who failed to respond.

In the days of the incipient monarchy, Saul issued an appeal to the Hebrew tribes to rally for the relief of Jabesh-Gilead. "He took a yoke of oxen, and cut them in pieces, and sent them throughout all the borders of Israel by the hand of messengers saying, 'Whosoever cometh not forth after Saul and after Samuel, so shall it be done unto his oxen.' And the dread of the Lord fell on the people and they came out as one man." (I Samuel 11:7ff). While the religious appeal in the fear of the national God is described as the motive which rallied the tribes, yet it must be recognized that behind this lay the recognition of kinship obligation without which the religious appeal could have had no weight. Again, in the case of Gideon and his famous night attack upon the Midianites with pots and

torches, the sense of mutual obligation to render aid between tribes appears. Only when the sudden attack had produced a disorderly rout among the Midianites, did Gideon appeal to the tribes of the Ephraimite hill-country. They rallied at his call to cut off the fugitive Midianites at the Jordan. When the battle was over, the men of Ephraim said unto Gideon, "'Why hast thou served us thus, that thou calledst us not when thou wentest to fight with Midian?' And they did chide with him sharply." (Judges 8:1). The other tribes felt that the call for aid should have been given at the beginning and not when the battle was well-nigh over. They claimed the responsibility of mutual aid almost as a privilege.

Other incidents might be cited, but these which have been given indicate the mutual aid in war which was an essential of the pact between the tribes of the Hebrews. This existed not only in the process of acquisition of territory in Canaan, but also after the occupation had been fairly well accomplished.

Avenging the Shedding of Blood

Another vital tie which bound the members of Hebrew tribes together was the obligation to avenge the shedding of blood in murder or manslaughter. This duty of blood-avenging is a wide-spread human custom. It appears to have been expressed for the Hebrews that judicial function of the community which is assumed by courts of law in the modern world.

We have but two incidents to cite in the way of illustration.

When Absalom had slain Amnon, his half-brother, in vengeance for the violation of Tamar, Absalom's sister, he fled the court. Since Absalom was his favorite son, David mourned his flight. Yet the king took no steps to bring back the fugitive. In this, he followed the course which was calculated to favor Absalom. To bring Absalom back, would be to bring him to his death, and the time was not yet ripe for pardon. Three years did Absalom remain among the Geshurites as a fugitive from justice.

Then Joab brought the matter to the king's attention by a clever device. He arranged to have a woman from Tekoa present before the king a plea on behalf of her son, who was represented to have killed his brother in a quarrel. The punishment of the murderer by execution of the death penalty would bring the family name to an end. David was moved by the woman's plea and agreed to intervene and save the life of her surviving son. When she had thus gained the intervention of the king, the woman tactfully disclosed the true situation.

David was persuaded by the parable to recall Absalom from his three years exile. Yet the king refused to allow Absalom's presence at court for two more years. At the end of this time, Absalom was restored to the court fully pardoned. Time heals the deepest grievances. (II Samuel 14:4f).

The story which the woman of Tekoa told to

David would indicate the fact that the clan took steps in case of murder of one of its number to punish the guilty party. This would be the natural process, for the kinship group assumes all control over the individual in primitive society. While the procedure may not be as systematic nor as closely bound to the observance of the letter of a law as it is in modern courts, yet the justice meted out was sometimes no doubt more swift and certain. Pardon of the guilty individual would not be infrequent within the clan. When the blood had been shed by an outsider, however, there would be far less probability of pardon for the guilty.

The case of Abner and Joab is typical of intertribal blood-revenge. In this case, retaliation was made for the killing of a man in battle, a somewhat unusual instance. Joab had two brothers, Abishai and Asahel. Asahel was an exceptionally swift runner. In the rout following a battle by the pool of Gibeon between the followers of the slain Saul and the rising king David, Abner, Saul's former general, seeking to escape, found himself hard-pressed by an urgent pursuer. The swiftness with which his enemy ran led Abner to call out, "Is it thou, Asahel?" "It is I," came the reply. Twice, the veteran shouted to the younger man who was pursuing, to turn aside lest he come to harm. "Turn thee aside from following me. Wherefore should I smite thee to the ground? How then should I hold up my face to Joab, thy brother?"

But the youth persisted in his eager chase. Suddenly, Abner, versed in every trick of the hand-to-hand conflicts of the times, stopped short without turning and thrust backward with the butt of his spear. The weapon pierced the pursuer and dropped him in his tracks.

Some time after the death of Asahel, Abner became disgruntled with Saul's son, and decided to make overtures to David with a view to delivering over the northern tribes to the suzerainty of the latter. As it chanced, Joab was absent on a foray, when Abner visited David in Hebron. David received Abner with cordiality and feasted him, while he readily accepted the proffer of the northern tribes. Soon after Abner had departed, Joab returned to Hebron. Great was his indignation. Sending messengers at once to follow after Abner, he summoned him back to Hebron. Joab was not moved wholly by political considerations. As Abner entered the city gates, Joab met him, beckoning him aside as if for a conference. Abner evidently had no expectation of the stroke which followed. It is doubtful if the thrust of Joab's sword was a normal case of blood revenge. The dire temper of the man, his jealousy of his position with David must be taken into account. Nevertheless, just these personal considerations enter into every such method of settling matters. Joab could plead in his defence the duty of an avenger of blood, *go'el haddam*.

The provisions in the law codes of later

periods of Hebrew history testify to the prevalence of the custom of blood revenge. In the seventh century, the Deuteronomic code introduced the designation of an asylum for manslayers. The innocent man to whom circumstantial evidence pointed could hardly hope to escape the avenger of blood. Too late, it might be discovered that the guilty person had escaped, while an innocent man had been slain in the heat of anger. This is the menace of summary justice without a trial. This is the tragedy of "lynch law." The Deuteronomic code, however, does not consider such possibilities, for it had the more elementary problem before it of securing asylum for one guilty of manslaughter only. The securing of this distinction between a murder and a manslaughter was a great step in the advancement of justice. The code reads in this provision: "Thou shalt set apart three cities for thee in the midst of thy land . . . that every manslayer may flee thither. And this is the case of the manslayer that shall flee thither and live. Whoso killeth his neighbor unawares, and hated him not in time past; as when a man goeth into the forest with his neighbor to hew wood, and his hand fetcheth a stroke with the axe to cut down the tree, and the iron slippeth from the tree, and lighteth upon his neighbor, so that he dieth; he shall flee unto one of these cities and live, lest the avenger of blood pursue the manslayer, while his heart is hot, and overtake him, because the way is long,

and smite him mortally, whereas he was not worthy of death inasmuch as he hated him not in time past. . . . But if any man hate his neighbor, and lie in wait for him, and rise up against him, and smite him mortally so that he dieth, and flee into one of these cities, then the elders of his city shall send and fetch him thence, and deliver him into the hand of the avenger of blood, that he may die. Thine eye shall not pity him, but thou shalt put away the blood of the innocent from Israel, that it may go well with thee." (Deuteronomy 19:2-6,11-13). Thus the seventh century code sought to provide against the killing of one guilty of manslaughter. The earlier periods had doubtless seen many avengings which were little more than murders, inasmuch as the victims had but lifted their hands against a man in self-defense, or had slain a man by accident. The final sentence of the code expresses the feeling of the primitive group in a case of killing. "The blood of the innocent upon Israel" is their way of saying "the sense of guiltiness in Israel." The avenging of a slaying removed the blood of the innocent dead from the conscience of the group.

Until the analysis of the literature of the Hebrews and the arrangement of the several portions in the chronological order of their production had been accomplished, the true significance of this Deuteronomic code was not apparent. As long as the whole Hexateuch was considered as a unity, the development of ideas

and laws could not be discerned. From the modern point of view with regard to the growth of the Old Testament, however, the Deuteronomic code appears in its proper relation to the other portions as the expression of the thoughts of the Hebrews midway in the course of the evolution of their moral and spiritual ideals. The next code to be produced in the sequence of time after the Deuteronomic code is the collection known in its full compass as the Priestly code. This is a product of the exile, the sixth and fifth centuries B.C. The Priestly code in its provisions for cases of murder is clearly based upon the Deuteronomic law, but shows an advance in more definite provision for the trial of all cases before "the congregation." Furthermore, the man found guilty of manslaughter should live in the city of refuge only until the death of the high-priest then in office. After the death of the high-priest, the manslayer should be permitted to return to his native place and no avenger should lay hands on him. The murderer, however, should be given over to the avenger for execution as under the earlier code, even the commutation of sentence by money payment was not to be allowed in the case of murder. (Numbers 35). The development of the law modified the details rather than the main theory as enunciated in the Deuteronomic code. The essential features remained much as they had been. In the words of the final clause of this section in the P code, "So ye shall not pollute the

land wherein ye are, for blood, it polluteth the land, and no expiation can be made for the land for the blood that is shed therein, but by the blood of him that shed it." (Numbers 35:33). Thus the ancient theory of blood avenging is summarized.

Responsibilities of Kinship

The responsibility of a kinsman to defend his fellow was much further reaching than is ordinarily appreciated. The duty of a man toward his fellow clansman was most frequently invoked in the case of bloodshed; but the obligation to render aid was recognized in any case of need. The word *go'el* means to "act as kinsman." The avenger of a murdered man was known as *go'el haddam*, "kinsman as to the blood," or "avenger of blood." Beside this type of action demanded of a kinsman, there might be the duty of playing the kinsman's part in the preservation of property to the family in the case of an impoverished person. On the death of a man, his kinsman might be called upon also to take the widow in the sexual relationship known as the levirate, thus to raise up sons who should perpetuate the name of the deceased. In all such cases, the active kinsman is known as the *go'el*. The qualification of the term by the addition of the phrase *haddam*, "the blood," denotes the specific obligation of blood avenger,

In the book of Ruth, an amusing incident is narrated which illustrates the kinsman's obliga-

tions in matters of property and the levirate. Boaz had set himself to aid Ruth, widow of a deceased relative, Elimelech. There was another relative, nearer of kin to Elimelech than Boaz. Boaz must therefore give the other the privilege of acting the kinsman's part in aid of the widow before assuming the prerogative himself. Hence, he assembled the elders of the town in due form and called in the other relative. "Naomi," said Boaz, "that is come again out of the country of Moab, selleth the parcel of land, which was our brother's, Elimelech's. And I thought to disclose it unto thee, saying, 'Buy it before them that sit here, and before the elders of my people. If thou wilt redeem it, redeem it; but if thou wilt not redeem it, then tell me that I may know. For there is none to redeem it besides thee, and I am after thee.'" The possession of a piece of property was evidently attractive to the other unnamed relative, for he said, "I will redeem it." The humor of the situation arose when the man who was ready to buy a field, was advised that with the field he must assume the burden of a wife also in the person of Ruth. Our English versions should have avoided the copyist's error in their renderings upon the evidence in the sequence of the story (verse 10), even if they chose to disregard the evidence of the Vulgate and the Syriac. Boaz bowled over the real-estate lover with the words, "What day thou buyest the field of the hand of Naomi, thou must buy also Ruth the Moabitess, the wife of the dead, to raise up

the name of the dead upon his inheritance." With thoroughly oriental ignoring of the real cause for his refusal to buy, the relative replied, "I cannot redeem it for myself, lest I mar mine own inheritance. Take thou my right of redemption on thee, for I cannot redeem it." Thus Boaz, not unwillingly as we may believe, bought the field, and Ruth for his wife, "to raise up the name of the dead upon his inheritance." (Ruth 4:6). So Boaz acted the part of near kinsman, or as the Hebrew has it, was *go'el* for Elimelech.

An appreciation of the basic meaning of the word *go'el* is indispensible for the understanding of the familiar and most difficult passage in the Book of Job, which is usually rendered, "But as for me I know that my Redeemer liveth, and at last he will stand up upon the earth, etc." (Job 19:25). A valid touch of sentiment transforms even the capitalized word "Redeemer" by which Job addresses his God, when we realize that this is none other than the word *go'el.* Even in his perplexity, Job still regarded God as his nearest of kin, whose bounden duty it was to stand by him in life, and to vindicate his name and his integrity after his death. It is an unwarranted limitation upon the word to attempt, as many have done, to identify the word *go'el* here in the specific sense of "avenger of blood." The word requires the added defining phrase *haddam*, "of blood," if it is used in the sense of "avenger of blood."

The Group as Prime Entity in Life

We have made quite an invasion of the territory of tribal relationships, which may possibly be connoted by the unique word *chay* in the eighteenth chapter of the First Book of Samuel. Nevertheless, we have not departed from the proper description of the tribal feeling in the Hebrew people in so doing; even though we may have unwittingly transgressed the original implications of that particular word. The tribe bound the Hebrews together into a unit of far greater solidarity than any group possesses in our modern social order. As among many primitive people, the kinship group was an entity for the ancient Hebrew of a reality transcending even the idea of an individual. In fact, the realization of individual rights or of individual life was submerged in the supreme entity of the kinship group. The idea of individuality arose only with the appearance of the prophets Jeremiah and Ezekiel. That is another and a long story, which we cannot narrate here.

An impression of the strictures upon individual life in primitive times due to the importance of the group may be discovered in the story of Achan. This unfortunate man secreted "a goodly Babylonish mantle, and two hundred shekels of silver, and a wedge of gold of fifty shekels weight," which he had taken for himself from the plunder of Ai. A ban had been placed upon the taking of booty. When the violation

of the ban had been traced to Achan, the group of which Achan was the prime figure paid the penalty. "Joshua and all Israel with him took Achan the son of Zerah and the silver and the mantle and the wedge of gold, and *his sons and his daughters and his oxen and his asses and his sheep and his tent and all that he had.* . . . And all Israel stoned him with stones; and they burned them with fire, and stoned them with stones. And they raised over him a great heap of stones unto this day." (Joshua 7:24, 25). The group was the supreme entity in ancient Hebrew life. The individual bore the penalties of the group, even as he enjoyed the fruits of its prosperity.

This supremacy of the group doubtless originated in the nomadic period of Hebrew history, persisting in its hold upon the social order even down to the deportation to Babylonia. In the exigencies of desert life, the nomad cannot live in very large groups, and even less can he maintain an existence alone. The sons of a family cannot separate themselves from the parent group and set up independent groups. This is impossible for one all-important reason, because of the menacing hostilities of enemies who would soon crush the scattered elements of a group which they would hardly molest as long as it retained its solidarity. The direction of a pastoral group is such as to require great experience, and the cooperation of many stout lives. Only the experienced can command the

support of strong assistants. Ambitious as the youth may be, he cannot command the allegiance which his sire has won over retainers. Thus the aged sheikh is the natural head of a considerable group. This group is a real community in itself. Food, shelter, and clothing for all are common products of the common flocks and herds. The life of an individual apart from a group in the desert, or on the ranges of pastoral life is quite inconceivable. Hebrew antiquity bequeathed this sense of group, or social, solidarity to its posterity.

Strange as the story of Achan and others of similar nature may seem to the reader in the visitation of punishment for the misdeed of the leader upon the entire group, this is but an application of a natural law in a manner more thorough-going than the unadapted process. Any misdeed of an individual brings penalties upon heads other than his own. Nature causes the group to suffer for the wrongdoing of an individual as well as she showers blessings upon the group by reason of the well-doing of the individual. The ancient Hebrew had a larger sense of sin than many of us moderns; he had a social conscience. Possibly, the mode of his application of penalties is not to be commended, but his recognition of the fact of social solidarity is by no means to be ignored. There is in it something for our boasted western and modern civilization to consider with all its soul. Individualism rampant is fully as deadly as group

absorption of the individual. Neither is ideal. At the heart of the one is the need for the other. A true individual must have a social conscience; the group must cultivate individual abilities. Is it strange to us to read the story of Achan? May this be due to the fact that we are lacking in appreciation of group solidarity?

Tribal Bonds
II. Feeling of Common Ancestry

The claim to descent from a common ancestor on the part of the Hebrew tribes was more or less of a polite fiction. Any claims of a patronymic social order in pride of descent are but half true, although we are apt to ignore the actualities. The descendants of a great man may pride themselves on having his blood coursing in their veins. They ignore the fact that the blood of his wife also flows in their body. Kinship is found upon a close scrutiny to be a somewhat tenuous and arbitrary idea. Kinship of the spirit is after all a more enduring and real kinship than that of the body. We are not, therefore, manifesting a disposition to belittle the patriarchs, nor to set forth their descendants and adopted descendants in a fashion derogatory to their honor. We are trying to state the facts. If we say that all the Hebrews of the days of the monarchy, for example, were not descendants of Abraham in actuality, we are but following the records. We need simply to note the Kenites, who joined themselves to the southern tribes in the time of

the invasion of Canaan. (Judges 1:16). If the descendants of the slave-wives of Jacob, Bilhah and Zilpah, are counted as full-blooded descendants of Jacob and thus of Abraham, then why should not also the Edomites, the descendants of Esau, be included among the Hebrews? Or more pertinently one might inquire whether the descendants of Ishmael, son of Hagar by Abraham, were not pure blood Hebrews? It is evident that there were descendants of Abraham who were not counted as Hebrews, as well as that there were lesser tribal groups which merged into the body politic of the Hebrews which had no relationship by descent with the patriarchs.

Tribal History in Stories of Individuals

There is little doubt that the patriarchs, Abraham, Isaac, and Jacob, were historical figures, tenuous though the personality of Isaac may be in the narratives —a mere shadow of his father. These persons have been taken, however, by the ancient historians to serve as the vehicle for the preservation of the tribal history. It is this fact which gives them significance for our present discussion. In the stories of the patriarchs and their families, we have the broad outlines of tribal mergers and separations, the record of the tribal history of the people who are called the Hebrews and their sense of kinship with neighboring Semitic groups.

Abraham Abraham, Isaac, and Jacob represent three tribal movements respectively westward and southward from the Aramean home country. The fourteenth chapter of Genesis with its account of the ancient Mesopotamian kings, against whom Abram fought, may embody a very old tradition which would fix the date of Abram as contemporaneous with the time of Hammurabi, one of the greatest rulers of the First Babylonian Empire. The Hebrew record gives the name as Amraphel, but this is merely the transcription of the name from one language to another and not a real difference. Hammurabi came to power about 2100 B.C. We may, therefore, suppose that the first migration of Hebrews from the east into Palestine took place during the first few centuries of the second millenium B.C. The account of Abram's visit to Egypt may possibly reflect a further movement of Semites from Palestine into Egypt. This may possibly have been the same migration as that in which the Hyksos figured. The latter gained the control of Egypt at about the beginning of the eighteenth century B.C. Abram does not represent the Hyksos, of course, but only that portion of the Semitic movement which was made up of Hebrews. None of the migratory movements of the Semites of which we have indications aside from the stories in the Old Testament, was a unitary process; but comparatively small units moved successively in the same general direction

over a long period of time. The designation of a single individual to represent such a process of centuries may seem strange, but it is not without reason in the exigencies of preserving records of events without written documents and during the desperately hard life of the deserts and nomad encampments. If Abram, an individual, had his name adopted as the type of a great movement of his people, it is an indication of the importance and worth of the man in and of itself. Just how one may explain the variance in the name which is now Abram and again takes the form Abraham, it is difficult to say. A sheikh of the migration may have achieved such a name as to give warrant for attaching it to the whole movement. Later through a similarity in sound, the name of a local leader, Abraham, whose life and deeds were largely confined to the region about Hebron, may have been merged with that of the earlier leader, Abram. The result has been a fusing of details, and a later explanation of the variance in name through the religious reason connected with the prophetic blessing of Abraham as the ancestor of the people of Yahweh. Whether two individuals have been merged into one or not, the name Abram, or Abraham, represents a general migration from Mesopotamia to Palestine of an Aramean group which came to be known as Hebrews. This migration took place probably during the first centuries after two thousand B.C.

Isaac Isaac stands for a second great movement of Aramean peoples into Palestine. The details of this story which we have considered at length in an earlier chapter, are such as to require that we should see in it an original and authentic account of dealings between individuals. Yet this does not prevent the use of it for a purpose similar to that which was made of the Abraham story. The journey of the servant of Abraham back to Aramea to secure the bride for Isaac has probably no significance for the tribal record. Possibly, this is the reason for the introduction of the servant into the story. Isaac as a tribe did not return to Aramea. The journey of Jacob, however, who is the representative figure of the third great tribal movement, probably implies a migration in two directions, back to the Aramean country and then returning to Palestine.

Jacob When we consider the figure of Jacob, we are aware from the record itself that we are dealing not only with an individual, but with a tribal figure. In this, lies a large part of the proof that Isaac and Abraham also represent tribal migrations. From records which have been brought to light in Egypt, dating from the days of Amenhotep III and Amenhotep IV, the so-called Tell-el-Amarna letters, it is known that there was a site in Palestine bearing the name of Jacob-el during the fifteenth century B.C. Such a place is mentioned in the letters, which are

official correspondence between the Pharaohs mentioned and their officials and tributaries in Palestine and Syria. While, therefore, we cannot even venture to fix the date of the migration represented by Isaac, we may with some confidence locate the movement typified by Jacob as occurring before the opening of the fifteenth century B.C.

This tribal migration typified by Jacob-Israel took place first as a movement from Palestine back toward the ancient Aramean home. The cause of it was the pressure of the stronger Edomite branch of the Isaac migration, which is represented in the story by Esau. These Jacob tribes were recruited from Aramean sources and gradually swept back into Palestine. This reappearance of the Jacob tribes may well have been part of the invasion of Palestine by the *Chabiru* at about 1375 B.C., which is mentioned in some of the Tell-el-Amarna letters. The term *Chabiru* sounds very much like "Hebrew," but it appears to have denoted a much broader movement than that of the Jacob tribes. Yet in all probability, these tribes were part of the racial movement which is called by that name in the Amarna letters. The Jacob tribes, however, come back into Canaan as the Israel tribes. Their name has been changed. This change of name like that of Abram has been given a religious significance by the recorders. Probably, the two names served to distinguish the two trends of the tribal movement in their

original use. If the immigration back into Palestine took place with the *Chabiru* invasion at about the beginning of the fourteenth century B.C., then Israel would have been fairly well established in Canaan by the time of Mineptah of Egypt, who began to rule about 1223 B.C. This is important by way of corroboration of the other dates which we have given, for in the records of the reign of Mineptah there is mention of the defeat of a people called "Israel" in the course of a campaign in Palestine. Evidently, the Israel mentioned in Mineptah's inscriptions was located in the central or southern portion of Canaan.*

Israel's Tribal Groups The group known as Israel was composed according to tradition of twelve tribes. It is difficult, however, to confine the list to twelve tribes. The figure is arbitrary, and the names which are included vary from time to time. In the narrative in Genesis, the list includes twelve names because Joseph is reckoned as one tribe instead of being divided into Ephraim and Manasseh, as it is in some of the later lists. These twelve tribes are arranged in four groups, classified according to the wives of Jacob. The Leah tribes were Reuben, Simeon, Levi, Judah, Issachar, and Zebulon. The Rachel group includes Joseph and Benjamin. There are also the Bilhah tribes, Dan

*For detailed discussion see C. F. Burney, Israel's Settlement in Canaan. p. 82ff.

and Naphtali, and the Zilpah tribes, Gad and Asher.

Bilhah and Zilpah are described in the narrative as handmaidens of the two principal wives of Jacob. At the instigation of their mistresses, they became subordinate wives of their tribal chief. There would seem to be some reason for this distinction between the groups. Probably, the Bilhah and Zilpah groups were later accretions to the Hebrew family, or were for some other reason regarded as not of the purest Hebrew stock.

The Leah and Rachel groups are the more prominent and by tradition the purest Hebrew groups. According to the narrative of the wives of Jacob, Leah was the older of the two sisters, but Rachel was the better beloved wife. Probably, this should be taken to mean that the Leah tribes were the older group among the Hebrews, possibly the first to make an entrance into Canaan. The Rachel tribes were later in gaining prominence, but were far more important at length in the tribal association. Of this latter group are the Joseph tribes, Ephraim and Manasseh. Ephraim in particular held the preeminence among the tribes in the early historic period of the occupation of Canaan.

Joseph If the narrative in Genesis is to be taken as a guide, one might feel that the Joseph tribes were those which made the sojourn in Egypt. The brief account which closes the story of Joseph, describing the coming

down into Egypt of the aged Jacob reads like an attempt to revise the ancient account to meet the theories of later days. Especially does this appear to be the case when certain evidence is taken into account. For one thing, the group is known as Joseph in the narrative, whereas this particular group does not appear in the subsequent history. By analogy with the significance of Jacob-Israel, we may suppose that the group was Joseph before the migration to Egypt, but was divided in its return to Canaan, appearing as Ephraim and Manasseh. Again, from external sources it would appear that many of the Hebrew tribes were already in Canaan long before the period of the exodus and the invasion of Canaan under Joshua, which took place about 1200 B.C. The earlier records in the Old Testament which deal with this invasion under Joshua, narrate chiefly the conquests of the central tribes, namely the Joseph group. Joshua himself was an Ephraimite. (Numbers 13:8). All of these facts taken together establish a premise that the Joseph tribes were at least the chief element in the sojourn in Egypt and the subsequent exodus.

In our discussion of the history of the tribe of Levi, it was noted that a remnant of this tribe may have been represented in the group which came out of Egypt under the Levite Moses. There is also reason for including the tribe of Judah in this group. Possibly, the narrative of the spies who went up from Kadesh-Barnea may

preserve a faint recollection of the fact that the tribe of Judah together with some of its appendages made its invasion of the land of Canaan from the south, instead of accompanying the Joseph tribes in their circuit of the Dead Sea and approach to the land of promise from the east.

The detailed discussion of this somewhat obscure problem cannot find place here.* The ancient records are not exact nor scientific. Only by the most careful attention to details and by laborious search in the records of other peoples of those ancient times, has there come some clue to the facts which lie behind the much worked-over narratives of the Old Testament. Certain conclusions are fairly well evidenced. The Hebrew tribes did not enter Canaan in a single unit, nor within the space of a single lifetime. They departed therefrom in several instances after they had once entered the land. Within the country, they migrated from one location to another in several instances after they had made a first settlement. Only a portion of the tribes participated in the famous sojourn in Egypt and the subsequent exodus, the tribes of Joseph with possibly Levi and Judah. After the immigration of the Joseph tribes, there began to develop a more settled type of life for all the tribes which

*The interested reader will find such a special problem in C. F. Burney's "Israel's Settlement in Canaan," or in the work of C. Steuernagel, "Die Einwanderung der Israelitischen Stämme in Kanaan."

figured in the later monarchy. This settled life led at length to the advance in culture and civilization, which produced the literary remains which are our records of the past, and the religion to which Christianity owes so much.

Tribal Bonds. III Common Religion

Beside the alliance for war and the sense of a common ancestry, religion was a powerful bond of tribal affiliation among the Hebrews. The records seem to show that Moses was largely responsible for the beginnings of the worship of Yahweh, the national God. Moses came to a knowledge of this deity in the wilderness of Midian, and possibly through the aid of the Midianites themselves. How much further back in the tribal history the affiliation with this God went, it is beyond the limits of this discussion to inquire. In the historic period of Hebrew national life, it was the agency of Moses and the later work of Samuel and Elijah which established the religion of Yahweh as the national worship of the Hebrew tribes. This common religion furthered the concept of a single origin and ancestry with the added sense of a common destiny.

Summary

In summary, the Hebrew tribes were bound together by agreements of mutual support in war, by the sense of a common ancestry and religion. The tradition of a common ancestry was such as to indicate their kinship with the great Aramean group of

peoples. Some of the Hebrew tribes doubtless were not of pure stock, but were reckoned as integral parts of the group by the usual process of kinship fictions. The adoption of a common national religion of allegiance to the God, Yahweh, through the medium of the Levite Moses and the Joseph tribes, was another unifying bond which produced at length a monarchy and a real national existence.

Chapter IV

THE SEXES BEFORE MARRIAGE

Promiscuity

THERE is a theory that in primitive human society promiscuous relations between the sexes prevailed. The evidences against such a theory are of varying weight, according to the definition of marriage which may be accepted. The arguments of Professor Edward Westermarck appear convincing, which refute the theory of promiscuity. In any case, promiscuous relations between the sexes even before marriage do not appear among the Hebrews during the period covered by the records which we possess.

There is a peculiar expression used of Rebekah in the narrative in the twenty-fourth chapter of Genesis, which has been taken by some to point to promiscuity of sexual relations. Rebekah is described as a "damsel . . . very fair to look upon, a virgin, neither had any man known her." (Genesis 24:16). Such a double expression is often found in the case of words and phrases of an antiquated or obscure nature, which require explanation for the later and unadvised reader. The word *bethulah*, which is translated "virgin," would hardly seem to require any explanatory

phrase such as appears in the passage "neither had any man known her." Yet there is at least one other instance like it in Judges 21:12. If the word denoted an unmarried girl residing in her father's house, however, and the customs permitted sexual intercourse between those who were not yet married until pregnancy indicated that marriage would be fruitful, the phrase might be taken to indicate an exceptional girl in point of chastity, unwed and also virgin. No argument can be based upon this fragmentary evidence, however, expecially in view of the fact that there is no other indication of such a custom among the Hebrews. That there was illicit intercourse between the sexes cannot be denied; but that such intercourse was sanctioned, or even connived at, by the Hebrew social order is contrary to the evidence.

Fornication The law codes from the very earliest down to the latest take account of illicit intercourse between the sexes. The clauses indicate that by the time of the codification of laws, at least, promiscuity between the sexes had ceased, if it was ever existent. The "Book of the Covenant" which is the primitive code of the Ephraimite document contains the following clause bearing upon sexual intercourse before marriage. "If a man entice a virgin that is not betrothed, and lie with her, he shall surely pay a *mohar* for her to be his wife. If her father utterly refuse to give her

unto him, he shall pay money according to the *mohar* of virgins." (Exodus 22:16,17). The Hebrew word *mohar* is rendered in the English versions by the word "dowry." This is misleading. "Dowry" suggests the sum fixed upon a bride by her father as a life portion. Possibly, it may have had a different connotation at some ancient time in the English language. It is certain, however, that the word "dowry" never had the meaning of "purchase price," which is the proper meaning of the Hebrew word *mohar*. The translators have either wilfully, or ignorantly, departed from the proper definition of this word. Marriage was commonly by purchase among the Hebrews, and this term is the usual one applied to the sum paid by the groom to the bride's father. One may preferably retain the simple transliterated form *mohar* instead of trying to translate a phrase which is thoroughly obsolete together with the custom which it denotes. If a translation is required, however, some such phrase as "purchase money" would be preferable to the misleading and quite incorrect "dowry."

This "Book of the Covenant" is the earliest of the law codes of the Hebrew literary remains. As the law stands, it takes no account of the possible violation of a maiden betrothed, as the later Deuteronomic code does. The only ruling is with regard to the violation of a virgin unbetrothed. The seducer is required to pay to the father of the girl a *mohar*. The usual procedure

would evidently be for the guilty man to take the girl for his wife after payment of the *mohar*. The father of the girl, however, had the privilege of refusing his assent to the marriage. In this case, the girl remained in her father's house, and relations between the man and woman could not be continued.

The Deuteronomic code represents the legal arrangements of a period about two centuries later than the "Book of the Covenant." Several changes are evident in the provisions of this code, known generally among scholars as D. The text reads, "If a man find a damsel that is a virgin, that is not betrothed, and lay hold on her, and lie with her, and they be found; then the man that lay with her shall give unto the damsel's father fifty of silver, and she shall be his wife, because he hath humbled her; he may not put her away all his days." (Deuteronomy 22:28, 29). Illicit intercourse with a maiden unbetrothed, therefore, if discovered, was to be compensated for by union of the two parties in marriage without privilege of divorce. Divorce in the Hebrew social order was a prerogative of the husband only, since the woman was practically no more than part of her husband's goods and chattels. In this code of D, the father of the girl has no privilege of refusing to give the maiden to her violator as his wife. The marriage appears to be compulsory, even as it is indissoluble. The money payment which is to be made to the father is fixed at fifty pieces of

silver. Just what relation this amount bore to the usual and average *mohar* of the times, it would be interesting for us to know. There are no data on this available. The specifications of the law are notably more drastic than those of the earlier code.

The D code also contains provisions for the case of violation of a betrothed maiden. This type of misdemeanor seems not to have been covered in the earlier code. Possibly in the earlier times, there was no interval between the payment of the *mohar* and the consummation of the marriage. In the period of the D code, there must have been such an interval. Otherwise, the provisions of the code would be meaningless. The code seems to imply that the prospective bridegroom had paid the *mohar* at the time of betrothal. This is indicated by the root meaning of the word "betrothed," *'orasah*. This root is probably to be identified with that of the Arabic with the same radicals, which means "pay the price." If this identification is correct, there is in the word "betrothed" the implication that the woman is already the possession of her future husband, to whom she is betrothed. The violation of the woman by another man is therefore in the nature of adultery, to be punished by a similar penalty. Two cases are considered, differing one from the other in the degree of guilt attributable to the woman.

"If there be a damsel that is a virgin betrothed unto a husband, and a man find her in the city

and lie with her; then ye shall bring them both out unto the gate of that city, and ye shall stone them to death with stones; the damsel, because she cried not, being in the city; and the man, because he hath humbled his neighbor's wife: so thou shalt put away the evil from the midst of thee." (Deuteronomy 22:23, 24). The penalty prescribed both for the seducer and for the seduced is death, which is precisely the penalty for adultery in this code, although the method by which the punishment is to be meted out is not specified in the clause on adultery. The betrothed maiden was regarded as wedded to her betrothed, as the clause descriptive of the seducer indicates, which describes him as one who "hath humbled his neighbor's wife." The woman is considered equally culpable with the man, since the assault was committed within the city where she might have called for protection from her assailant.

In the second case, (Deuteronomy 22:25-27) the law deals with an assault made in the open country where no protection would be at hand for the woman. Under these circumstances, the damsel is exonerated, for she had no protection from her ravisher. The death penalty is prescribed for the assailant, however, as in the first case.

Charge of Pre-marital Unchastity

Regard for the chastity of their women is further evidenced in the Hebrew records of the Deuteronomic code by the law con-

cerning the husband who may bring charges of pre-marital unchastity against his wife. The quoting of the law will suffice in this connection. "If any man take a wife, and go in unto her, and hate her, and lay shameful things to her charge and bring up an evil name upon her and say, 'I took this woman, and when I came nigh to her, I found not in her the tokens of virginity,' then shall the father of the damsel and her mother take and bring forth the tokens of the damsel's virginity unto the elders of the city in the gate. . . .and they shall spread the garment before the elders of the city. And the elders of that city shall take the man and chastise him, and they shall fine him a hundred shekels of silver, and give them unto the father of the damsel, because he hath brought up an evil name upon a virgin of Israel. And she shall be his wife. He may not put her away all his days. But if this thing be true, that the tokens of virginity were not found in the damsel, then shall they bring out the damsel to the door of her father's house, and the men of her city shall stone her to death with stones, because she hath wrought folly in Israel, to play the harlot in her father's house. . . ." (Deuteronomy 22:13-21).

In the law codes which are the product of the exile and later periods, there are no clauses parallel to these which we have considered in the Deuteronomic code. The nearest approach to laws in protection of the chastity of unmarried

women in material composed subsequent to the Deuteronomic laws, is a clause in the so-called "Holiness code" in Leviticus. This "Holiness code" is regarded as a product of the period just prior to the exile, but it has been incorporated within the Priestly document of the period of the exile and the immediately subsequent years. The clause to which we refer reads "And whosoever lieth carnally with a woman, that is a bondmaid, betrothed to a husband, and not at all redeemed, nor freedom given her; there shall be inquisition. They shall not be put to death, because she was not free. And he shall bring his trespass offering. . . .And the priest shall make atonement for him . . . before the Lord . . and the sin which he hath sinned shall be forgiven him." (Leviticus 19:20-22). This appears to be a modification of the Deuteronomic law, giving the exceptional procedure in the case of a slave-maiden betrothed who is violated. The death penalty is not to be carried out in such cases.

We have noted that there appears to have come a change in the status of woman during, and subsequent to, the exile. This change was in the direction of the exaltation of women from mere chattels to somewhat of an equality with their male relatives. It is a question in our mind whether the peculiarly economic character of union between the sexes, such as marriage by purchase, continued after the exile and the economic crash, which that event brought about.

We are inclined to attribute the disappearance of laws safe-guarding the chastity of women before marriage in the code of the Priestly document to the fact that marriageable women had ceased to have economic value. This should not be taken to imply that the chastity of women had ceased to be of import. On the contrary, the laws of the period of the exile and restoration of the Jewish nation are set upon a higher level of ceremonial cleanness and moral idealism. The chastity of women had become more a matter of personal and moral concern than an affair of economic import to the parent and thus to the group. The chastity of unmarried women came to be safeguarded by community sentiment rather than by law. The severe penalty for adultery, which had been written into the earlier code of Deuteronomy, appears also in these later laws. Death was the penalty exacted. The code in Leviticus, however, sets the matter further on the basis of moral cleanness as well, appealing to the moral sense as well as to the fear of a penalty. "And thou shalt not lie carnally with thy neighbor's wife, to defile thyself with her." (Leviticus 18:20).

We may account for the absence in these later codes of laws concerning the conduct of youths and maidens prior to marriage on the supposition that the general provisions for moral and ceremonial purity were regarded as a sufficient requirement to cover the preservation of chastity. Since the custom of money payment

for a bride had lapsed, the economic element which had prompted the earlier laws had disappeared also. Hence, the laws on pre-marital chastity were not restated as specific items.

Sexuality in Religion At this point, it is necessary for us to consider the practice of sexual intercourse in connection with religious ceremonials. The practice is a very ancient one. It prevailed in Babylonia as the code of Hammurabi reveals. The Babylonian hierodules were devoted to the service of Ishtar. In Phoenician religious ceremonial, sexual rites were practiced in honor of Astarte. It would not be surprising, therefore, to discover that the Hebrews as well as those other Semitic peoples followed similar customs. The prevailing opinion of scholars seems to be that these sexual rites in the Hebrew religion are due to the influences of Canaanite or Phoenician religions, and were introduced into the religion of Yahweh, only after the immigration into Canaan. When we have cited the evidence of sexual rites in the Hebrew religion, however, the burden of proof will fall upon those who hold that such rites were not a part of the nomadic religion of the Hebrews before the settlement in Canaan. Since no evidence is at hand upon which to base a positive conclusion, we tend to the theory which postulates this practice as a part of the common Semitic atmosphere in which the Hebrews came to being. The moral and spiritual potency of the

Hebrew idealism reveals itself in the gradual elimination of these sensual and obscene elements of the religion.

The earliest trace of such sexuality in religion among the Hebrews occurs in the narrative of the relations of Tamar with her father-in-law, Judah. (Genesis 38). Tamar came first into the family group of Judah as the wife of Er, his first-born. On the death of Er, Tamar was given by the custom of the levirate to Onan, younger brother of the deceased, by whom sons were to be expected who should bear the name of the dead man.* Onan evaded his obligation and was smitten to death by the deity. "Then said Judah to Tamar, his daughter-in-law, 'Remain a widow in thy father's house till Shelah, my son, be grown up;' for he said, 'Lest he also die like his brethren.'" Time passed by, until Tamar thought herself forgotten, since Shelah had grown to maturity and yet she had not been given to him that the dishonor of childlessness might be removed. She, therefore, "put off from her the garments of her widowhood, and covered herself with her veil, and wrapped herself, and sat by the gate of Enaim, which is by the way to Timnah," whither she knew that Judah was going to the sheep-shearing. "When Judah saw her, he thought her to be a *kedeshah*, for she had covered her face."

The word *kedeshah* requires some considera-

*See Chapter VIII, p. 161 ff.

tion. It is rendered in the English translation, "harlot." This rendering is accurate enough from the modern point of view; but to one who is endeavoring to enter into the life of ancient times and to comprehend the attitude of mind of primitive folk, it is quite lacking in point. The Hebrew word comes from the root *kadash,* which carries with it in its primitive significance the idea of separation or withdrawal. Hence, it comes to mean that which has been set apart for the deity, the holy thing. A *kedeshah* is, therefore, a consecrated woman, as the form *kadesh* would denote a consecrated man. One might trace the origin of sexual rites in religion to the primitive belief in sympathetic magic. Fertility of fields, vineyards, flocks, and herds as well as the fecundity of human beings might be supposed to be intensified by the practice of sexual rites at the shrine. The female attendants at the shrine would serve the male worshippers. It is probable that sentiment would convey to the popular conception of the practice the idea that intercourse with a consecrated woman could not but be fraught with blessing to the man who had to do with her, even as the touch of an anointed king, or a holy prophet has been supposed to impart vigor or good luck to a person. In considering this custom, however, among the Hebrews, it must not be forgotten that there were males in attendance upon the deity of the same status as the females. The consecrated woman, *kedeshah* (plural form *kedeshoth*), had

her counterpart of the other sex, the *kadesh* (plural form *kedeshim*). In point of frequency of mention, the males would seem to have been more prominent in the practice than the females. Probably, the masculine form of the word is used in a generic sense, however, to include both sexes in most of the references,—in the denunciations of the practice in the books of Kings, for example (I Kings 14:24; 15:12; 22:46; II Kings 23:7), and in Job. (Job 36:14). Hosea mentions the custom in terms which are feminine only. (Hosea 4:14). The most drastic denunciation of the practice occurs in Deuteronomy, "There shall be no *kedeshah* of the daughters of Israel, neither shall there be a *kadesh* of the sons of Israel. Thou shalt not bring the hire of a harlot or the wages of a dog into the house of the Lord thy God for any vow: for even both these are an abomination unto the Lord thy God." (Deuteronomy 23:17, 18). In the latter sentence, the words "harlot" and "dog" are opprobrious epithets hurled at the two words in the former sentence. "Harlot" represents an entirely different word in the Hebrew from *kedeshah*, and one kindred with the English word prostitute, while the suggestion in "dog" is obvious. It should be borne in mind that this passage in Deuteronomy dates from the period just prior to the catastrophe of the exile, when the finer spirit of the religion of the great prophets had begun to work in the midst of the nation.

It may not be without significance for our

comprehension of the attitude of the Hebrews of the earlier periods of the nation's history, to note that the prophets frequently depict the relationship between the people and the deity in terms of sexual relationship. This procedure is rather distasteful to our modern and finer instincts. It may have had its origin in times when the relationship between the deity and sexuality was thought to be most intimate. Throughout the Old Testament, the deity is regarded as the giver of children, as the one who "opens and closes the womb," in short as the God of fertility. We should, however, guard ourselves against supposing that relations in general between the sexes were loose, because of this close connection between religion and sexuality. The *kedeshah* and *kadesh* were in a class by themselves, and their status in the social order was thoroughly exceptional.

Returning for a space to the story of Judah and Tamar, we read that Judah had intercourse with Tamar, whom he took to be a *kedeshah*. He gave her as a pledge for payment of the usual kid of the goats, his signet, cord, and staff. The payment of a kid to a hierodule, it may be said by the way, is characteristic also of the temple-prostitution in Phoenician custom. In the sequel to this relationship between Judah and Tamar, when Tamar is found to be with child, Judah as chief of the group orders her to be put to death by burning. This reveals to us the strictness with which marital fidelity and the chastity of

widows was guarded. While the laws of marriage and customs of sexual relations, which were legitimate, differed from those of our day, yet law was law, and custom was binding. Tamar saved herself from execution by displaying the signet, cord, and staff of Judah. "And Judah acknowledged them, and said, 'She is more righteous then I; forasmuch as I gave her not to Shelah my son.'"

In the earlier days of Hebrew history, sexual intercourse with religious devotees of either sex appears to have been regarded as legitimate. The custom continued evidently down to the time of the deportations of Judah into exile by Babylonia, but were opposed with ever growing vigor by the prophetic elements. The concept of the deity which gave rise to the custom, was primitive, but yet not without an element of worth. The modern world is beginning to pass out of the stage of despising the sexual functions as obscene and degrading into a regard for them as the most noble and divinely appointed powers of the human body. The right direction of the power of sex is coming to be regarded as one path to the highest experience of life wherein a human soul comes into closer union with the divine in the creative act. May we not go still further with some moderns and say that sexual intercourse exalts the divine in humanity? It is the way of participating with the Creator in creating new life. Also in monogamy where mutual love prevails to constrain husband and

wife each to seek first the highest good of the other, it is the warp and woof of a relation which is most nearly divine of any human tie. While the ancient Hebrews may have erred in their application of the truth, they were not astray in their regard for the sexual function of humanity as a divine gift.

Circumcision Another custom which prevailed among the Hebrews and had a bearing upon the pre-marital life of the people, was the rite of circumcision. This rite was originally performed upon mature individuals. As far as the evidence shows, there was no corresponding rite for women practised by the Hebrews. In the earlier documents, circumcision appears to have borne something of the significance that the right of franchise has for a modern man, that is to say it indicated that the Hebrew youth had come of age, was marriageable. The Hebrew word for bridegroom is *chathan*, and the word for father-in-law is *chothen*. Both of these words come from a root kindred with the Arabic verbal root which means "circumcise." This connection cannot be merely fortuitous. Furthermore, all the instances of circumcision in the earlier documents involve adults. Joshua circumcised the Hebrews on the eve of the immigration into Canaan. (Joshua 5:2). Just what the phrase "the second time" may mean it is difficult to comprehend, since there is no record of a previous, general circumcision in the

narratives. It is probable that this phrase is the insertion of the Deuteronomic editor who went over the records and revised them for combination with the writings of his own day. The phraseology of the long paragraph which succeeds the passage under discussion betrays the hand of this editor. He is laboring under the impression that circumcision must always have been a custom of his people, whereas the cast of the older story leads us to question his impression. The only instance of circumcision in the narrative prior to this is one which concerns Moses and his own child, about which we shall have something to say shortly. This is not such a case as could lead to the citing of it as the first instance of which the circumcision under Joshua was the sequence. We, therefore, quote the passage in Joshua, setting off the discussion of the Deuteronomic editor of the seventh century by parentheses from the older record of the ninth century B.C. "the Lord said unto Joshua, 'Make thee knives of flint, and circumcise [again] the children of Israel [the second time].' And Joshua made him knives of flint, and circumcised the children of Israel at the hill of the foreskins. [And this is the cause why Joshua did circumcise: all the people that came forth out of Egypt, that were males, even all the men of war, died in the wilderness by the way, after they came forth out of Egypt. For all the people that came out were circumcised; but all the people that were born in the wilderness by the

way as they came forth out of Egypt, they had not circumcised.]" (Joshua 5:2-5). This incident, therefore, judged by the norms of historical criticism, reveals little to us beyond the fact that circumcision had a tribal significance as a mark of the Hebrew people in relation with the God who led them into Canaan.

The other incident in the J document is more illuminating, although it is in itself fragmentary and quite isolated from its immediate context. The story concerns Moses apparently, for the woman named in the account is Zipporah, and Moses' wife bore that name. The incident is given as follows. "And it came to pass on the way at the lodging place that the Lord met him, and sought to kill him. Then Zipporah took a flint, and cut off the foreskin of her son, and touched his genitals with it; and she said, 'Surely a bridegroom of blood are thou to me.' So he let him alone. Then she said, 'A bridegroom of blood art thou because of the circumcision.'" (Exodus 4:24-26). The story is baffling, for there is hardly enough of it to give certainty. Apparently, Moses was in danger of his life at Yahweh's hands, until Zipporah saved him by circumcising their son and touching Moses' genitals with the foreskin. Thus Moses came to be circumcised himself, as it were by proxy. The story would seem to serve also as a medium for advocating transition from the rite of circumcision at maturity to that of circumcising children. More certainly, it hints at the fact

which was suggested by the etymology of the words for "bridegroom" and "father-in-law," as noted above, that originally the rite of circumcision was connected with marriage.

The story of Dinah and Shechem serves also to support this theory that circumcision was in primitive Hebrew life performed in connection with marriage. The marriage of Dinah to Shechem, her ravager, was opposed by the family of the Hebrew maiden on the ground that Shechem was not circumcised. (Genesis 34:14ff). This does not appear to be merely tribal prejudice. The rite was felt to be indispensable for the safety of the wedded pair in the presence of superhuman powers concerned in sexual relations.

In the P document, the rite of circumcision was modified. Whereas it had been an adult rite indicating fitness for marriage and the assumption of mature responsibilities, this code of laws advocated the circumcision of children as signifying religious relationship with the national deity and inclusion in the sanction of the covenant. This covenant was supposed to have been made between the patriarch Abraham and his God, Yahweh. This P document is the product of the days of the exile, however, and cannot be depended upon for accurate depiction of ancient life prior to that time. It is a document revealing the ideas of that late period of Hebrew history. Sometimes, it appears that these late historians read back into ancient

times many things which were current only in their own, or immediately prior, days. Abraham is described by the P document as submitting to the rite of circumcision at the age of ninety-nine years, when Ishmael and all Abraham's household also were circumcised to conform with the divine requirement in the covenant. (Genesis 17:23, 24). In due course, Isaac was circumcised eight days after his birth. (Genesis 21:4). Strangely enough, the circumcision of Jacob is nowhere related, either in the P document or in any other. This omission is but one of the clues which guide the historian to the truth. The P document is an attempt to idealize antiquity and to discover the roots of comparatively late rites and ceremonies. None of the older documents (J, E, or D) tell of the circumcision of Abraham, nor of Isaac, not to mention Jacob again. Our conclusion must be that circumcision did not originate as the P document would have us think, as a covenant rite of religious import between Abraham and Yahwe. We hold to the evidence of the older documents, since we must choose between them and the late document P. Sketchy as the evidence is, it suffices to indicate that originally the rite was of tribal significance, and indicated the coming of a man to marriageable age. By the time of the exile on the evidence of the P document, the rite had been transformed into a ceremony performed upon children at the age of eight

days, bearing a distinctly religious character as indicating that the child was one of the congregation of the faithful and heir of the promises.

In this later time, the law required that slaves also should be circumcised in Hebrew household-households. Whether this was a custom in previous periods we cannot be certain. The participation of a slave in the passover depended upon his submission to the rite of circumcision according to the P document. (Exodus 12:43, 44). Similarly also, the sojourner or foreigner in Hebrew land must first be circumcised; thereupon he might partake of this solemn feast. Such adult circumcision is quite different from that of the earlier periods of Hebrew history.

Summary In conclusion, we sum up our discussion of the sexes before marriage. There is no evidence of any worth to indicate that there ever was a state of promiscuity between the sexes in Hebrew history. The chastity of women was at all times carefully guarded. At the same time religious devotees of both sexes were to be found at the shrines, who up to a comparatively late period provided the means for sexual intercourse under religious sanction. The later law codes denounced the custom. The rite of circumcision was practiced by the Hebrews in common with other Semitic peoples. At first, it was performed at manhood, or at marriageable age. Later, in the period of the exile at least, children were circumcised

on the eighth day. The rite was originally connected with marriage, but became in the course of time a token of tribal membership and religious acceptability to the national deity.

Chapter V

FORMS OF MARRIAGE

Monogamy

SINCE the Christian religion has established the type of relations between the sexes in the form of monogamy, it might be supposed that throughout the Bible which has been the basis of Christian thought, there would be a consistent adherence to monogamy. This is not the case. Nowhere in the Old Testament do we find monogamy exalted as the normal or ideal type of relation between men and women. The story of the creation of woman from the rib of man has often been cited to support the contention that the Old Testament teaches monogamy. Certainly, the narrative describes the creation of but one man and one woman; but this is hardly an argument for monogamy. Gunkel in commenting on this passage scores when he says, "Er redet nicht von der Ehe; auch davon, dass er die Einehe als normal hinstellen wolle, ist nicht die Rede; vielmehr schafft Gott nur ein Weib, weil er nichts überflüssig tut, ein Mann und ein Weib konnen dieganze Menscheit zeugen."* It is probable that for the great

* It is not marriage which is being considered here, nor is the writer seeking to establish monogamy as normal. Rather God creates but one woman, since he never does superfluous things. One man and one woman could procreate all humanity.

majority of Hebrews monogamy was the form of sexual union into which they entered, because of the limitations of their ability to support a larger number of wives. Toward the end of the period covered by the Old Testament, there appears to be a sub-current of social feeling in favor of monogamy. Yet even in the Book of Proverbs, which seems to rest upon monogamist ideas, there is no clear statement exalting monogamy as the type. One looks in vain for some line in law-code or in sermon, such as "Thou shalt take to thyself but one wife." Polygamy was practiced especially by the rulers and the affluent.

Marriage by Purchase The prevailing manner of marriage was by the purchase of a wife on the part of the man. Patronymic ideas dominate the pages of the Old Testament, even as these ideas ruled the social order throughout the historic period of Hebrew life. The man was the important figure in the family. Woman was secondary always, and for a long period of time she was no more than the possession of her husband in sequence to her subordination to her father. The marriage ceremony was simplicity itself. Payment was made to the father of the bride, and the woman was taken to the domicile of the man, her husband. We have no trace of any religious ceremony, nor even of the simplest ritual of a wedding.

The term used for the payment made for a

woman was *mohar*. As we have noted in an earlier chapter, this word is wrongly rendered in our English versions of the Old Testament by the word "dowry." Properly speaking, a "dowry" is a gift to the bride made by her father, and is in the nature of a marriage portion. Such a gift, a dowry proper, is noted as occurring now and then among the Hebrews. One such instance is recorded of Caleb, who had given his daughter Achsah to Othniel. "And Caleb said unto her, 'What wouldest thou?' And she said, 'Give me a blessing; for that thou hast set me in the land of the South, give me also springs of water.' And he gave her the upper springs and the nether springs." (Joshua 15:18, 19).

The dowry in this case consisted of springs of water, a very important item to nomadic folk. The word used by the bride in making request of her father for a gift is *berachah*, which our English version has rendered literally as "blessing." It might be translated as the margin of the Revised Version suggests by the word "gift." In this particular connection, the context indicates that a more adequate rendering would have been "dowry."

Frequently, the dowry was a maidservant, if we may judge from the story of Rachel. "And Laban gave to Rachel, his daughter, Bilhah to be her handmaid." (Genesis 29:29). Leah also had received Zilpah as a dowry.

The *mohar* was variable. Othniel secured Achsah, daughter of Caleb, to wife by capturing

the town of Kiriath-sepher in the course of the conquest of Canaan by the Hebrew tribes. (Joshua 15:15-19). Saul required of David a *mohar* of "an hundred foreskins of the Philistines" in payment for Michal. (I Samuel 18:25). In both of these instances, the *mohar* required is a deed of valor. The payment made by the servant of Abraham to the relatives of Rebekah appears to have been similar to the gifts which were made to the bride, namely jewels of silver and gold and raiment. (Genesis 24:53). Jacob rendered service for his wives. Seven years he labored for Laban in payment for each of the two wives, Leah and Rachel. (Genesis 29:20, 30). The more usual form of payment would probably be cattle, sheep, or goats in the nomadic period, and grain, wine, oil, or the like after the agricultural life had begun. Money payments might have been made, if there had been such a thing. Certainly, jewels and gold and silver might have figured in the *mohar* at any period of Hebrew history.

Since the wife was the purchase of the husband, it was natural that the Hebrew word for husband should be "master," *ba'al*. Hosea in one of his sermons depicts the redeemed Israel as wedded to Yahweh, and in the delight of true love transforming the usual *ba'ali*, "my master," into the phrase *'ishi*, "my man." There is no reason for doubting the existence of sincere affection between a man and his purchased wife in those far off days; but the very form by which

a wife came into the married relation with her man savored of slavery. In fact, the only difference between the wife and the female slave was one of degree of privilege. A female slave was subject to sexual relations with her master. In the "Book of the Covenant," there is explicit provision for the defence of the rights of a female slave, sold by her father. It appears to be expected that she will be subject to sexual relations with her master or with his son. (Exodus 21:7ff). Even the maidservant who was given to a bride as dowry might come into sexual relations with her mistress' husband. Such relations are apparently subject to the approval of the mistress, however, as in the cases of Zilpah and Bilhah, handmaidens of Leah and Rachel respectively, who had children by Jacob with the permission of their mistresses.

Marriage by purchase of the wife on the part of the groom prevailed throughout most of the historic period of Hebrew life. We have noted that the wealthy men of the community would probably have a considerable harem, because their economic status would permit them to support a number of wives. The conditions of life were hard for most of the people, however, and it is doubtful if polygamy was practised by very large numbers. The poorer element in the social order would be driven to form irregular unions, even as they do in modern society. Many of these unions were of a type which would not be recognized as legitimate in our

day, but which were not beyond the pale of the social standards of their time.

"Beena" Marriage Unions such as the metronymic type known as "beena" marriages would provide sexual satisfactions to those who could not afford to maintain an establishment even with a single purchased wife. There would be certain expenditures involved in such unions. Intercourse between husband and wife would occur only at intervals. The husband would be relieved of the support of the wife and also of the support of any children that might be born of the union. On the other hand, he would be deprived of the services of children when such had grown to maturity. The poor must needs be content with such immediate satisfactions as they can command; it is the well-to-do only who can plan for the distant future.

Temporary Marriage Other unions of a patronymic type, in which the wife is introduced into the house of the husband, but only for a limited period of time, would also serve the purpose of the impoverished. Such temporary unions would be in the nature of agreements, and the term of the union would be settled upon by the parties concerned. One might say that such marriages are hardly worthy of the name, since they are little removed from prostitution. To our modern sensibilities, they are primitive and intolerable. Yet to the people of

that distant time, they were legitimate and obviously necessary for some in the exigencies of their economic situation. From the point of view of the times, they were marriages in legitimate type. They were of a higher grade of morality than modern prostitution at least of that they were sufficiently suited to the conditions of the social order to warrant the sanction of the group. Prostitution may be tolerated, but it is not sanctioned by society.

We have noted at considerable length the cases of "beena" marriage which occur in the Old Testament records. We need not take the time to consider them again. The instances of temporary marriage, however, deserve comment.

The relations between Samson and the Philistine woman Delilah appear to be of a more permanent character than his affair with the woman of Gaza. The latter is called a harlot, *zonah*, which is a word from a root denoting mere sensual relations. Samson's relations with this woman were but for a night. Such connections cannot be classed even with the comparatively transient relations which we are describing as temporary marriage. (Judges 16:1ff). In the case of Delilah, however, Samson appears to have had relations with her for a considerable period. The narrators have not said of Delilah, as they did of the woman of Gaza, that she was a harlot. This may be merely a chance omission, but in such close proximity as

the two stories stand, it is significant that Delilah is spared the title of shame. The implications of the context would lead the reader to think that Samson lived permanently with Delilah, and he certainly lived openly with her. The details of the story are lacking in those specific facts by which we could establish conclusively that this was a temporary marriage. The narrator is not concerned with this and, as is natural, gives but the details which make for the clarity and progress of his story. (Judges 16:4ff).

An instance of temporary marriage in which the details are more clearly drawn is that case of the Levite whose wife was brutally and shamefully murdered by the roisterers of Gibeah. Throughout this story in the nineteenth and twentieth chapters of the Book of Judges, the woman is called the "concubine" of the Levite. The translators are doing the best they can with an Hebrew word of rather infrequent use and of uncertain origin. The word is *pi'leghesh*. Some have seen in the word a transliteration of the Greek word which passed into the Latin in the form *pellex*, the meaning of which is "young girl." Greek influences are very dubious, however, in the Hebrew prior to the exile especially. The word *pi'leghesh* occurs in the late writings, in Chronicles, Esther, and the Song of Songs; but it also occurs in the earliest document of the Hexateuch, so that we shall have to call in question its Greek origin. Others have found its

origin in the Hittite. Of this much we may be certain, that it is a thoroughly acclimatized word in the Hebrew. It is used of the members of the harems of the kings of Israel, who had not quite the full status of wives. The phrase in reference to the harem of Solomon will serve to give the typical form of expression. "And he (Solomon) had seven hundred wives, princesses, and three hundred concubines (*pi'legheshim*, the plural form of *pi'leghesh*)." (I Kings 11:3). The *pi'legheshim* were evidently members of the harem who had not the status of princesses, but were none the less in the relation to Solomon of serving his sexual requirements. The word is also used of the lesser wives of the patriarchs. Thus "it came to pass, while Israel dwelt in that land, that Reuben went and lay with Bilhah, his father's *pi'leghesh*. And Israel heard of it." (Genesis 35:22). As we have noted before, Bilhah was given to Jacob as a lesser wife by Rachel her mistress, and Jacob had children by her, namely Dan and Naphtali. These facts lead readily to the conclusion that a *pi'leghesh* was in a somewhat abnormal sexual relationship, a wife of lesser status in the family group than the regularly purchased wife.

The general usage of the word *pi'leghesh* establishes the presupposition that the relationship between the Levite and the woman was in the nature of a marriage, although it was a union of an abnormal character. This premise is further established by the fact that the

narrator three times speaks of the woman's father as the Levite's *chothen*, which is rightly rendered in the English by "father-in-law," and once the Levite is called in relation to the woman's father, *chathan*, which is rightly translated "son-in-law." As we noted in a prior chapter, these two words are from the verbal root which means "circumcise," and are used of marriage in the formal sense. There is no reason to suppose that they are loosely used in this narrative. The indications are that the relationship between the Levite and the woman was something more than that which is usually connoted by the expression "concubinage."

We have now to consider a phrase in the Hebrew text which has a most important bearing upon the interpretation of the story and which in our opinion must be modified to agree with the reading of the Greek Version. The Vatican Manuscript has instead of "his concubine played the harlot against him" in the second verse of the nineteenth chapter of Judges, the phrase "And his concubine left him." We are disposed to regard the Greek as the original reading. The text of the Hebrew has been modified by those who did not understand the nature of the relationship between the man and woman, and read their own misinterpretation into the text. If the woman had wronged the Levite, there would necessarily follow some sort of reconciliation between the two, when they met. There is, however, not a trace of any

disagreement between them, not to say any incriminations or words of repentance. The course of the narrative seems to follow a smooth path of normal procedure. This is comprehensible on one supposition only, and that is provided by the Greek rendering. The Levite and the woman had formed a temporary union for a specified period. When the period had expired, the woman naturally left the Levite's house and returned to her father's home. After the space of four months, the Levite, willing to renew the union, went after her to "speak to her heart" as the Hebrew so romantically puts it, while our English murders the romance by translating the clause "speak kindly unto her." The same phrase appears in one of the sermons of Hosea as he is describing the purpose of God to woo and win Israel again. "Therefore I will woo her, and bring her into the wilderness and speak to her heart." (Hosea 2:14). Hence, we may safely see in this phrase evidence that the Levite would a-wooing go again. The woman was not averse to a repetition of the union, and brought the suitor to her father, who also "rejoiced to see him." The fresh agreement of marriage was celebrated roundly, and the bride's father urged the Levite to prolong his stay again and again, until four days had passed in feasting, and the Levite only succeeded in tearing himself away on the fifth.

Such temporary marriages are from our modern point of view quite unusual. The

narrative which records this particular case has evidently been misunderstood by those whose task it was to perpetuate it from generation to generation. Only when we come to the story with minds prepared to discover somewhat primitive and obsolete types of union, does the mind fasten upon details which reveal the fact that here is recorded a form of marriage which is practised even today by the Arabs in their pilgrimages to Mecca, and occurs also among primitives in many parts of the world. The evidence may not be convincing to everyone, but to the reader who is initiated into the fascinating story of the development of the family among humankind, the clues will be illuminating. When we have read this instance, we may hark back to the story of Samson with somewhat less misgivings as to whether the union between that Hebrew giant and the Philistine Delilah was marriage.

Captive Women In primitive barbaric days when wars were commonplace in human existence, the women of captured people were appropriated ofttimes by their captors to be their wives. The most specific law concerning the taking of a captive woman to wife occurs in the code of Deuteronomy. The provisions of this law, as in the case of many others in this comparatively late code, undoubtedly were framed to mitigate the lot of such captives. "When thou goest forth to battle against thine enemies, and

the Lord thy God delivereth them into thy hands, and thou carriest them away captive, and seest among the captives a beautiful woman, and thou hast a desire unto her, and wouldest take her to thee to wife; then thou shalt bring her home to thy house, and she shall shave her head and pare her nails, and she shall put the raiment of her captivity from off her, and shall remain in thy house, and bewail her father and her mother a full month. And after that thou shalt go in unto her, and be her husband and she shall be thy wife. And it shall be, if thou have no delight in her, then thou shalt let her go whither she will, but thou shalt not sell her at all for money. Thou shalt not deal with her as a slave, because thou hast humbled her." (Deuteronomy 21:10-14). There is no doubt that women had suffered in all the wars of conquest in which Israel engaged. Sexual license and the violation of the women of the defeated enemy have throughout history attended the plunder of hamlets and the sack of cities. Not indignities only, but death, were too often the fate of women of a captured city or an invaded country. The ideal set up by the code of Deuteronomy seems almost ridiculously high for the semi-barbaric Hebrew soldier flushed with victory and lustful for all manner of spoils. It is to be feared that the law was idealistic. No earlier code touches on the subject. Yet there is every reason to suppose that whatever violence may have been wrought upon captive women, their

captors may have in many instances taken them for slaves at least, and this implies sexual relationship.

There is one incident narrated in the twenty-first chapter of the Book of Judges, which concerns an unusual case of provision of wives for a whole tribe by a raid upon a city. The narrative is of uncertain antiquity and the utmost credence cannot be attached to its historicity. Nevertheless, it may be considered not improbable. In vengeance for the lustful murder of the Levite's wife by the roisterers in Gibeah, to which we have referred before, the tribes of Israel rallied and well-nigh annihilated the tribe of Benjamin within whose borders lay the guilty city. Six hundred warriors alone survived the vengeance of their kindred tribes. The other tribes had sworn not to permit marriage of their women with the Benjamites. How then should Benjamin be perpetuated as an Hebrew tribe? When it was discovered that Jabesh-Gilead had not sent any quota to participate in the war of vengeance, it was decided that a punitive expedition should go against that city and capture women who should become wives of the surviving Benjamites. The expedition returned with four hundred "young virgins that had not known man," who were given to the Benjamites as wives. The incident is unique in Hebrew records, and yet, while it is doubtful if such a wholesale provision of wives would often occur, there is little doubt that it is but

an illustration on a large scale of what happened again and again in the case of individuals.

Rape of the Shilonites

The sequel to this story of the vengeance on Benjamin contains a further unique phase. The women captured at Jabesh-Gilead were not numerous enough to supply all the Benjamites with wives, so that a further step had to be considered by which the others might have women. "Cursed be he that giveth a wife to Benjamin," every Israelite had sworn. The oath might not be openly violated. Shrewd human wit, however, can usually find the way to wriggle through, around, or under, the obstacle of oath, word or promise, if so be that too much is to be lost for mortal spirit to endure, by keeping of the promise, word or oath. Hence, they sent the remaining bachelors of Benjamin to lie in wait by the vineyards of Shiloh at the time of the feast which was annually celebrated there. When the Shilonite maidens came out to participate in the dances by which the feast was kept, they were seized upon by the ambushers. Thus the Israelites of Ephraim who were near neighbors of Benjamin kept their word and did not give of their daughters to the proscribed Benjamites; but the latter took those Ephraimite maidens whom they would, or could, seize in the vineyard dances. Such a mode of gaining wives could not well be frequent, and possibly the story is quite fictitious. Many scholars would

relegate it to the columns of the dubious. Nevertheless, it is not without parallel in the traditions and records of other peoples.

Summary In conclusion, be it said that the normal and usual form of marriage in Hebrew society was by purchase. The usual process was patronymic in that the wife was taken into the family group of the husband. Marriage of captive women taken in wars was probably not an uncommon event. When a man's economic condition did not warrant him in trying to maintain even one wife permanently, he might contract temporary marital relations with some woman, or he might enter into a metronymic type of union, by which also he would be relieved of the economic burden of supporting either wife or family. As to the rite or ceremony by which marriage was contracted, we are quite without knowledge, and we may even doubt if there was among the Hebrews anything corresponding to the ceremonial of weddings in our modern times. The later Jews did have a wedding ceremonial, for use at which the Song of Songs is supposed to be a collection of poems. We have, however, no evidence on this point in connection with the ancient Hebrew life, unless it be the feasting which occurred at the home of the Levite's woman when he went to remarry her. (Judges 19).

Chapter VI

LIMITATIONS ON THE PRIVILEGE OF MARRIAGE

Proscription of Marriage with Near Kin

CONSIDERABLE variance appears in different periods of Hebrew history with regard to the degrees of kinship within which marriage was forbidden. Generally speaking, the lines were more strictly drawn as civilization developed. Particularly strict were the Jews of the exile and restoration.

In the earliest times as we have already noted, it was permissible for a man to marry his half-sister. Abraham and Sarah were reputed to stand in this degree of kinship with each other according to the E document of the Hexateuch. The J document which was put into written form slightly prior to the E document, however, is silent as to this relationship between the patriarch and his wife. In a genealogical table from the J document, Sarah's father is not named, although the genealogy of Milcah, Nahor's wife, is given. (Genesis 11:29). This is a strange silence, since Milcah, whose father is named, was of less import to the Hebrews as the wife of Abraham's brother than Sarah, Abraham's wife. If the mention of the father of

either was to be omitted, it would naturally be the less important name which would be ignored. We may infer that the name of Sarah's father was not given because she was a member of the group, as Terah's daughter, and half-sister of Abraham, so that her relationship would be well-known. Milcah, coming from without the group, needed specific mention of her descent. From the two narratives, the one in the J document and the other in the E, we gain the information with regard to this kinship of Abraham and Sarah. In the story of the J document, however, there is nothing to indicate that the representation that Sarah is his sister is anything more than a subterfuge on the part of Abraham, in the nature of a "white lie" to safeguard his own life from the attacks of such as might covet his fair wife. It is in the E document that the narrator specifically advises his readers of the fact by placing in Abraham's mouth the words, "And moreover she is indeed my sister, the daughter of my father, but not the daughter of my mother." (Genesis 20:12). There is no reason to doubt this statement, and as the genealogy in the J document may possibly imply, the silence of that document is due to the fact that the kinship of the two was well-known.

In a former chapter, we noted also the implication in the story of Amnon and Tamar, children of David by different mothers, that marriage between these two would have been possible. (II Samuel 13:13). The fact would

seem to be that such marriages persisted until a comparatively late date in Hebrew history. They are a relic of a metronymic system in which the two parties to the marriage would really not be close kin. With increasing stringency, the code of the Deuteronomic period and the later Holiness code forbade such marriages. The ascendency of the patronymic idea made them ever more inappropriate.

If we consider the story of Jacob as embodying the actual experiences of an individual as well as portraying tribal movements, we must see in his marriage with Leah and Rachel an instance of marriage between cousins, and the union between Isaac and Rebekah in the preceding generation was a marriage between second cousins, to employ modern terms in description of the relationship. Such marriages are nowhere forbidden even in the codes, where specific lines are drawn defining the forbidden degrees of consanguinity.

There are cases of marriage recorded, however, in the narrative portions of some of the documents, which were within the degrees of kinship proscribed by the laws of the same documents. The recorders seem to have faithfully set down the traditions which came to them, even when they involved unions on the part of the national progenitors which would not have been permissible in the days when the documents were written. Some instances of this may be noted.

The parents of Moses, Amram and Jochebed, were in point of kinship before marriage, nephew and aunt. Twice in the P document, this relationship is noted. "And Amram took him Jochebed, his father's sister to wife, and she bare him Aaron and Moses." (Exodus 6:20. See also Numbers 26:58, 59). In the legal codes which are incorporated in the P document and express the formulation of custom and ideals of the period of the exile, such a marriage is expressly forbidden. "Thou shalt not uncover the nakedness of thy father's sister. She is thy father's near kinswoman." (Leviticus 18:12). The phrase "uncover the nakedness" is used in this chapter repeatedly as a variant for the usual "take to wife." A second clause at another point in the P document adds "Thou shalt not uncover the nakedness of thy mother's sister nor of thy father's sister; for he hath made naked his near kin. They shall bear their iniquity." (Leviticus 20:19). By the terms of these laws, the parents of Israel's great lawgiver were guilty of a marriage within proscribed degrees of consanguinity. It should be borne in mind, however, that an interval of more than seven centuries lies between that union of Amram and Jochebed and the formulation of the enactments of the P document. This by the witness of the researches of modern scholarship. On the antiquated basis of regarding the Pentateuch as the work of Moses himself, this law would be inconceivable.

The seventh century code of Deuteronomy contains prohibition of marriage between a man and his father's wife. "A man shall not take his father's wife, and shall not uncover his father's skirt." (Deuteronomy 22:30). This is further supplemented by a law against sexual intercourse with a father's wife. "Cursed be he that lieth with his father's wife, because he hath uncovered his father's skirt." (Deuteronomy 27:20). Of course the reference is not to a man's own mother, but to the other wives of his father. The polygynous family made such unions a possibility without the feeling against incest rising in protest. Such marriages must have been entered into, otherwise the presence of the law forbidding them would be difficult to account for. In fact, we have the record that it was the usual practice for kings upon their accession to the throne to appropriate the harems of their fathers. Absalom by the counsel of Ahithophel proclaimed his usurpation of the throne of his father David by having intercourse with the women of David's harem. (II Samuel 16:20ff). The family relationships of kings are anomalous, however, and we cannot argue from such acts of the royalty that marriage with the wife of a father was a general practice with the Hebrews. Even the laws which we have cited, may have been directed against the procedure of royalty, which we have noted, and may not have had cause for enactment in the conduct of the ordinary citizen.

When we consider the laws of the P document, however, we find reiteration of the prohibition against marriage with the wife of one's father. (Leviticus 18:8). Here is added also the specification against marriage with one's own mother. The P document is strictest of all and most detailed in its proscriptions. There may possibly have been need for enactment of laws even such as this prohibition against incest, for the times were raw and licentious out of which the P document came. One has but to read the vivid and plain-spoken sermons of Jeremiah or of Ezekiel to comprehend the slough of immorality into which the Hebrews had plunged at the period of the exile. We quote a few lines from Ezekiel. "Behold the princes of Israel, every one according to his power, have been in thee to shed blood. In thee have they set light by father and mother. In the midst of thee have they dealt by oppression with the sojourner. In thee have they wronged the fatherless and the widow. Thou hast despised my holy things, and hast profaned my sabbaths. Slanderous men have been in thee to shed blood. And in thee they have eaten upon the mountains. In the midst of thee they have committed lewdness. In thee have they uncovered their father's nakedness. In thee have they humbled her that was unclean in her impurity. And one hath committed abomination with his neighbor's wife, and another hath lewdly defiled his daughter-in-law, and another in thee hath humbled his sister,

his father's daughter." (Ezekiel 22:6-11). These lines are definite charges against the social order of that day which give evidence of the necessity for such laws even as those which proscribe incest.

We may summarize the growth of sentiment and social feeling against marriage between those who were close of kin by putting the enactments of successive law codes in tabular form.

FORBIDDEN DEGREES OF KINSHIP BETWEEN THOSE WHO WOULD WED

J and E documents.	Deuteronomic.	Priestly code,
No laws on the subject in the codes of these documents.	Father's wife. (27:20) Sister, or half-sister. (27:22) Mother-in-law. (27:23)	Mother, or step-mother. Lev. 18:7, 8) Sister, or half-sister. (Lev. 18:9, 11. Cf. also Lev. 18:17) Granddaughter. (Lev. 18:10) Paternal, or maternal aunt, or uncle's wife. (Lev. 18:12, 13, 14) Daughter-in-law. (Lev. 18:15) Sister-in-law. (Lev. 18:16) Woman and her mother together. (Lev. 18:17)

Endogamy and Exogamy Marriages between members of different Hebrew tribes appear to have had the sanction of the social order at all periods. There is no evidence

that there was any restriction on such unions. On the other hand, there is no reason for supposing that marriage between members of the same tribe was proscribed.

In the earlier stages of Hebrew history, there appears to have been freedom of marriage between Hebrews and other peoples of Palestine. The J document states that "the children of Israel dwelt among the Canaanites. . . .and they took their daughters to be their wives, and gave their own daughters to their sons, and served their gods." (Judges 3:6). The last phrase of this passage contains a note which was of the utmost import in the development of a spirit of endogamy among the Hebrews. The religious element among the Hebrews feared for the purity of the national religion and with increasing severity frowned upon marriages with members of other races and peoples. We can trace the development of this antagonism to marriage abroad through the Deuteronomic into the P document. The latter is particularly strenuous in its opposition to foreign marriages.

The records show that Moses contracted a marriage with a woman of the Midianites. (Exodus 2:21). The J document which contains the information does not indicate any sentiment against such a union. The result of this marriage was the migration of at least one Midianite clan with the Hebrews into Canaan. "And Hobab the Kenite, Moses' brother-in-law, went up out of the city of palmtrees with the children of

Judah into the wilderness of Judah, which is in the south of Arad; and they went and dwelt with the people." (Judges 1:16). We have made a correction of the text in quoting this verse, reading "Hobab" instead of "the children of;" but the sense is not materially altered by this modification.

We are somewhat perplexed to account for the narrative from the E document in the twelfth chapter of the Book of Numbers, in which it is stated that Moses had married a Cushite woman. In consequence, Miriam and Aaron called in question his leadership. The God Yahweh vindicated Moses by causing Miriam to be afflicted with leprosy. (Numbers 12:1-15). We have no other record that Moses married a Cushite woman. A Cushite elsewhere in the Old Testament would mean an Ethiopian. It is very strange to have such a statement in the story. If it stated that Moses had married a Midianite woman, the fact would be consonant with the other incidental references to Moses' matrimonial venture. Some would regard the verse as a marginal gloss. It is hard to account for its appearance even in the margin. If it is not an original part of the narrative, then it has no bearing on the matter with which we are concerned. If it is an integral part of the story, then it testifies to the fact that Moses made not one only but two marriages with women who were not Hebrews.

As apostasy spread, and the worship of Yah-

weh appeared to be endangered by the intermarriage of Hebrews with the tribespeople who worshiped other deities, there arose an increasing opposition to marriages of that nature. The Deuteronomic code of the seventh century prohibits marriage between Hebrews and the other inhabitants of Palestine. One passage alone will suffice to give the tone of many others which might be cited. "When the Lord thy God shall bring thee into the land whither thou goest to possess it, and shall cast out many nations before thee, the Hittite, and the Girgashite, and the Amorite, and the Canaanite, and the Perizzite, and the Hivite, and the Jebusite, seven nations greater and mightier than thou . . . thou shalt make no covenant with them . . . neither shalt thou make marriages with them, thy daughter thou shalt not give unto his son, nor his daughter shalt thou take unto thy son." (Deuteronomy 7:1-3). Even the kings were denounced for such foreign marriages.

The P document also opposes such marriages. This attitude appears not in legal codes but in touches of the narrative portions of the document. Of Esau, this document says that "he took to wife Judith the daughter of Beeri the Hittite and Basemath the daughter of Elon the Hittite; and they were a grief of mind unto Isaac and to Rebekah." (Genesis 26:34, 35). This document also represents the parents of Jacob as in anxiety lest this their other son should follow the example of his brother Esau.

"And Rebekah said to Isaac, 'I am weary of my life because of the daughters of Heth. If Jacob take a wife of the daughters of Heth, such as these, of the daughters of the land, what good shall my life do me?' And Isaac called Jacob" and sent him to the ancestral home to seek for a wife, charging him with the words, "Thou shalt not take a wife of the daughters of Canaan." (Genesis 27:46; 28:1). Yet even this P document coming out of the time of the exile and restoration, reveals traces of a tradition that marriages with foreign peoples were not uncommon in the days at the dawn of Hebrew history. In the list of the Hebrews who entered Egypt, in the forty-sixth chapter of Genesis, this document includes among other names that of Shaul, one of the sons of Simeon, whom the record designates particularly as "the son of a Canaanitish woman." Joseph also is noted as having taken Asenath, daughter of Potiphera, priest of On, to wife, and the narrator describes her as the mother of Ephraim and Manasseh. The document is found once more faithful to the traditions which it employs in giving the record of the past, even when there are facts in the tradition which run counter to the ideals of the document and its authors.

At the time of the restoration under Ezra and Nehemiah after the long exile in Babylonia, there came a most vigorous effort to root out the evil of foreign marriages, which seems to have become flagrant. The list of those who had

contracted marriages with women other than Hebrews is found in the tenth chapter of the Book of Ezra. A decision was reached that all who had thus trespassed should put away their foreign wives and the children born of them. Nehemiah records his opposition to these mixed marriages in no soft or uncertain terms. "In those days also saw I the Jews that had married women of Ashdod, of Ammon, and of Moab. And their children spake half in the speech of Ashdod, and could not speak in the Jews' language, but according to the language of each people. And I contended with them, and reviled them and smote certain of them and plucked off their hair and made them swear by God, saying, 'Ye shall not give your daughters unto their sons, nor take their daughters for your sons, or for yourselves'. . . ." (Nehemiah 13:23ff).

This effort to purge the restored Jewish nation of all admixture of foreign blood was not made without opposition. The record declares "Only Jonathan the son of Asahel and Jahzeiah the son of Tikvah stood up against this matter; and Meshullam and Shabbethai the Levite helped them." (Ezra 10:15). The record which has come down to us is written from the point of view of those who sought to purify the national blood. There is, however, a document, which bears all the marks of having been produced by some one of the same point of view as Jonathan and Jahzeiah. It is the Book of Ruth. The evidence goes to show that this little

romance is not a product of the days when Ruth and Boaz were living, but that it is a bit of fiction produced during the troublous days following the exile. The art of its author is superb. His motive likewise is not to be denounced by those who stop to consider the grave injustice which was done to the foreign women and to their children by the purists who caused them to be suddenly cast adrift from home, and father, and husband. Behind the beauty of this idyl of the days of antiquity lies the defense of marriages with peoples of other tongues. The writer would say, "Can marriages with Moabites for example be of such grave guilt as Nehemiah would have you to think? Consider that no less a personage than great David, our hero of heroes, was born of the union of Hebrew Boaz with Moabite Ruth." Our modern heart responds to this appeal for racial comity, even though the basis of the appeal be not quite that which we would set forth.

Summary We must conclude that intermarriage with peoples other than Hebrews was a common practice at all periods of Israel's history. There was a growing opposition to such unions from the time thatit became evident after the immigration into Canaan that the introduction of wives who worshipped gods other than Yahweh was a menace to the religion of the Hebrews. The culmination of the opposition came in the years of the restoration after the

exile under the leadership of Ezra and Nehemiah. A drastic divorcing of foreign wives took place, but not without stiff protest from a minority in the Jewish community, who felt keenly that the move was a serious injustice to the women and children who were thus bereft of homes. To use sociological terms, we may say that the Hebrews were both endogamous and exogamous throughout their history, but there was a growing tendency toward endogamy in the course of the centuries.

Chapter VII

THE POSITION OF SLAVES

Hebrew Household

THE Hebrew household in nomadic days was a considerable establishment. It included two or three generations of the family proper together with the servants or slaves, and also the animals. With the development of settled life and the entry into city dwellings, there would come a tendency to break up the larger household into smaller units more after the fashion of our modern civilized life. The larger familiar household persisted, however, to a large extent. When we consider that the wives of the head of the household as well as those of his sons were bought, the position of slaves in the household appears in somewhat clearer light. The slave was also purchased, or born into the possession of the master. While the slave was at the disposal of the master, his lot would not be deplorable as a rule. Life for all the household is a struggle under primitive conditions.

In speaking of slaves, the Book of the Covenant, which is one of the earliest codes of law extant from Hebrew life, calls the slave his master's "money." The slave's life was in the

master's hand. Probably, he could do what he would with him in the earliest times. This Book of the Covenant, however, provides several clauses in protection of slaves from violence at the hands of their masters. "And if a man smite his man-slave or his woman-slave with a rod, and he die under his hand, he shall surely be punished. Notwithstanding, if he continue a day or two, he shall not be punished, for he is his money." (Exodus 21:20, 21). While this law is far from being humanitarian, if it be judged by the standards of our modern social order, yet it was no doubt a move toward the moderation of severities which might be shown to slaves by ill-tempered masters. The same code further extends defense to the slave. "And if a man smite the eye of his man-slave, or the eye of his woman-slave, and destroy it, he shall let him go free for his eye's sake. And if he smite out his man-slave's tooth, or his woman-slave's tooth, he shall let him go free for his tooth's sake." (Exodus 21:26, 27). These clauses in the law may serve to indicate what slaves might suffer at the hands of their masters. Much would depend upon the nature of the master. Even children suffer somewhat at the hands of some parents. We are not attempting to justify the obnoxious custom of slavery, but we would indicate that the slave's position was not very different from that of the other members of the ancient Hebrew household.

Slaves were introduced into the household by

capture in war, or by purchase from captors. In many cases, poverty-stricken parents would sell their children, or even themselves with their children in order to save themselves from starvation. The laws in the Book of the Covenant and also in the P document, which are purposed to mitigate the circumstances of such Hebrew slaves, reveal the fact that servitude of this kind must have been common. (Exodus 21:7; Leviticus 25:47-49).

Male Slaves We consider the case of the male slave first. By the terms of the Book of the Covenant which was composed in the ninth century, the Hebrew slave could be held for a term of six years only, after which in the seventh year he was to be freed. He was to "go out as he came in." That is to say, if he were unmarried when he was bought into slavery, he alone was to be set free. If he had married while he was a slave, his wife and children were to be left in the possession of the master. Under these circumstances, the only way for him to retain his wife and children would be for him to submit to life-long slavery with them, and to have his ear bored through with an awl in token of his permanent servitude. If, however, the wife had been bought with the slave, his wife should go out of slavery with him in the seventh year.

This code may be an idealization rather than a law which was enforced. If one may judge by the modifications which appear in the subse-

quent codes, the seventh year of release for slaves was not acceptable to slave-owners, who probably evaded it whenever they could. Yet the Deuteronomic code of the seventh century practically restates the law of the Book of the Covenant. Many pious incentives are added to the clause by the Deuteronomist, urging masters to observe the law, to send the slave away with a plentiful supply of food and the like. (Deuteronomy 15:12-18). The code in the P document of the fifth century, following the exile, modifies the term of seven years. This suggests the inference that the term had proved to be too short in practice. This late code requires that the slave shall be released in the year of the jubilee, which came around every fifty years. He and his family together shall be liberated. If he has fallen into the hands of an owner who is not an Hebrew, his relatives are to buy him back at the year of jubilee. The foreign owner could hardly be expected to observe the Hebrew law, for we have now passed to the time when Hebrew national life had crashed into ruin, and the people have been exiles for a long time and returned to Palestine only to struggle for existence in the midst of foreign neighbors. (Leviticus 25:39-52). If these laws were enforced at all, slaves might go free at length. Possibly with the new start in life, they might prove slavery to have been a blessing in relieving their extreme need.

If the slave became a member of the house-

hold of his master, it is probable that he was obliged to accede to the religious rites of the family. A Hebrew slave in a Hebrew household would, of course, find no change in this regard from his own practices. If he became the slave of a foreign master, there would be complications. The foreign slave who found himself under a Hebrew master also might be compelled to submit to rites which were not of his own choice. We cannot be certain of the historicity of the account of Abraham's institution of circumcision in his family, for it comes only in the P document, which as we have noted before, is a product of the fifth century. However, this document contains a great deal of material of considerable antiquity, and in any case the narrative probably represents the attitude of the Hebrews at the time in which the document took shape. The story depicts the patriarch as causing not only the members of his immediate family, his blood kin including Ishmael, to be circumcised with him; but the free-men and the slaves of his household also were obliged to submit to the rite. If our concept of the integrity of the Hebrew household group is correct, the natural conclusion would be that all the members must follow a common path.

Female Slave The situation of the female slave was somewhat different from that of the male. She would undoubtedly be subject to sexual relations with the master. In

view of the fact that the regular wives of the household were purchased, the female slaves of the master would stand only in a position subordinate to the other women. The position of a female slave in any social order is such as to make her subject to the will of her owner in any matter. That a poor Hebrew should sell his daughter to be a slave, seems at first a heartless act. When it is viewed in the light of the common marriage customs of the time, it is not as distressing. Probably for a poor girl, such a transaction became a splendid settlement. The wealthy maiden also was purchased, but for a larger sum and with the understanding that her social position would be such as to surround her with luxuries consonant with the status of her husband.

The Book of the Covenant provides a ruling for the treatment of female slaves, which reads as if the woman would consider herself disgraced or treated "deceitfully," were she not taken into sexual relations with the master. After he had had sexual relations with her, if he no longer cared to continue them, he could let her be bought back by her family, but he had no right to sell her to any foreigner. He might give the woman to one of his sons, in which case he must treat her as he would one of his own daughters. If he took another woman, the master might not diminish in any way the rights of the first to food, raiment, or the privilege of sexual intercourse with him. Should he take another woman

and fail to continue the dues of the first, the slave woman might go free without buying her freedom.

The later law codes of Deuteronomy and the P document do not make any provisions for female slaves as distinct from males. There is, however, a clause in the code in Leviticus which shows that female slaves were held in possession as slave-wives. The passage refers to the treatment of a slave-woman, who had been purchased by a man, who had not given her her freedom, nor allowed her to be redeemed. If she had sexual relations with another man, it was not regarded as adultery except in the second or third degree, so to speak. The usual penalty for adultery was death for both parties. In this case, however, inquisition was to be made. The implication is that the master of the woman might deal with her as he saw fit, since she was his property. The guilty man was to make ceremonial reparation for his guilt before the priest. The whole clause indicates the subordinate status of a slave-woman as compared with a purchased wife, and evidences the fact which we have been substantiating from the records, that slave-women were in relation to their masters as subordinate wives. (Leviticus 19:20-22).

Chapter VIII

THE VIOLATION AND DISSOLUTION OF MARRIAGE

MARRIAGE among the Hebrews at least before the exile was an affair of purchase. The wife, or wives, were therefore, the property of the purchaser, or husband. This economic phase of the marriage relation did not of necessity rob it of romance or of true love according as the parties to the transaction were capable of emotion or romance. The fact of material payment for the right of ownership of the woman does, however, give a thoroughly economic cast to the marriage relation. We have seen that the father of a girl would require satisfaction in material recompense for the loss of her chastity. In a sense, he would regard the violation of a daughter as an economic loss. This economic aspect of marriage among the Hebrews must have tinged the attitude of a husband with regard to the fidelity of his wife or wives. From the earliest times of which we have record, the penalty for adultery was most severe. When it was supposed that Tamar, daughter-in-law of Judah, had been faithless to her betrothal to Shelah, she was condemned to death by burning. This was not a case of adultery in the simplest definition of that term. Tamar had twice been widowed, and was living

in her father's house as a widow, until such time as she should be given to Shelah, younger brother of her deceased husband, whose responsibility it was to fulfill the custom of the levirate and raise up sons to carry on the name of his brother. In fact, Tamar was bound to Shelah, and the penalty for her infidelity by having sexual intercourse with another was the same as that for adultery.

Adultery The earliest legislation with regard to adultery is that of the decalogue attached to the Book of the Covenant in Exodus. "Thou shalt not commit adultery." (Exodus 20:14). There is no penalty attached to the clause, even as there is none connected with the other items of the decalogue. If, however, the case just cited of Tamar be regarded as bearing on the crime of adultery, as we think it to be, the unwritten custom of the early days may be regarded as requiring the penalty of death for those who committed adultery.

In the seventh century code of Deuteronomy, the interdict against adultery appears again in the decalogue which is attached to the code, and also in the body of the law. "If a man be found lying with a woman married to a husband, then they shall both of them die, the man that lay with the woman and the woman. So shalt thou put away the evil from Israel." (Deuteronomy 22:22). Nothing is said as to the manner of execution of the death penalty, which is set for

both parties to the crime. Possibly, this decision was left for the elders, who would by normal process serve both as jury and judges on the crime. Stoning appears to have been the most common manner of executing a death penalty, although as we noted in the case of Tamar burning by fire was also practised.

In the P document from the fifth century, the crime of adultery is punishable by death. "And the man that committeth adultery with another man's wife, even he that committeth adultery with his neighbor's wife, the adulterer and the adulteress shall surely be put to death." (Leviticus 20:10). Again the code is silent as to the method of the execution. A passage in the prophet Ezekiel's work, however, may throw light on the custom of that late time. In depicting the doom of Israel, whom he has been describing as the wife of God, the prophet concludes in a vigorous passage, which is doubtless imaginative, yet may be taken to be composed of elements from the life of the times. "And I will judge thee, as women that break wedlock and shed blood are judged; and I will bring upon thee the blood of wrath and jealousy. I will also give thee into their hand, and they shall throw down thy vaulted place, and break down thy lofty places, and they shall strip thee of thy clothes, and take thy fair jewels, and they shall leave thee naked and bare. They shall also bring up a company against thee, and they shall stone thee with stones, and thrust thee through with

their swords." (Ezekiel 16:38-40). This may be taken as a hint confirming the impression that death by stoning was commonly the penalty for adultery.

The man is never regarded as guilty except as he transgresses the rights of some other man to a woman. This is the usual patronymic attitude, in which everything is considered from the point of view of the master, man. If there rose suspicion in the mind of a husband that his wife has been unfaithful to him, he might proceed to discover whether she were guilty or not by a ceremonial prescribed in a section of the P document. This represents the late period of Jewish history, yet it may be that there is preserved in the enactment a process which had long prevailed among the people. The notable thing is that the woman alone is regarded as being under suspicion. Not a hint is given that the woman could ever charge her husband with the guilt of adultery. The double sexual standard prevailed. Benzinger states the situation tersely and well, "Der Mann kann nur fremde Ehe brechen, das Weib nur die eigene."* The concluding clause of the section in the P document bearing on this matter is also illuminating as to the patronymic bias. "And the man shall be free from iniquity, and that woman shall bear her iniquity." (Numbers 5:31).

A woman charged with adultery by a sus-

*The man can break only the bonds of another's wedlock, the woman only her own.

picious husband, was obliged to prove her innocence, even as a father was obliged to give evidence of the virginity of his daughter at the time of her marriage, if ever the husband raised a question in that regard. The trial for the woman suspected of adultery was by ordeal. She was obliged to drink a bitter mixture of water and dust from off the floor of the sanctuary. If she were guilty, her body was expected to swell and her thigh fall away. If she were innocent, the water would not harm her. The husband risked nothing in the accusation. In this, he is at an advantage over the husband who raised question as to the virginity of his wife at the time of her marriage. The latter had to settle with his father-in-law. The husband who suspected his wife of adultery, had but himself to reckon with, for the wife was wholly his property.

Divorce Previous to the time of the Deuteronomic law, divorce appears to have consisted in the simple process of dismissal of the wife by the husband. We have few cases to cite by way of illustration.* One outstanding instance of divorce concerns a subordinate wife, or slave-wife, and may not be typical of the procedure with regard to a wife in full status. We refer to the dismissal of Hagar by Abraham at the request of Sarah, the first wife. Abraham gave Hagar but a skin of water with some bread

*The earliest law codes in JE do not even mention divorce.

and sent her away in the wilderness, where she almost perished together with her boy, Ishmael. Again, in the case of Michal and David, the desertion of the wife by the husband appears to have been enough to permit the woman to take another husband. David was compelled to flee from the court of Saul, because the latter thought of him as a rival and possible usurper of the throne. Michal, Saul's daughter, wife of David, remained at court with her father. And Saul gave Michal his daughter, "David's wife, to Palti the son of Laish, who was of Gallim." (I Samuel 25:44). A similar disposition of the wife by her father occurred in the case of the woman of Timnah whom Samson had married. The great boyish fellow was roused to violence because the feasters at his wedding guessed his riddle by a subterfuge, and wrought such havoc at Ashkelon slaying thirty men in order to secure their garments with which to pay the wager he had lost, that his father-in-law supposed he had seen the last of him. The bride of a short time was given to one of Samson's Philistine friends to wife. Samson was stirred again to huge wrath when he discovered that it was supposed that he had divorced his wife. This story is set in Philistine surroundings, and cannot be taken by itself as illustrative of Hebrew procedure. Yet in this relation it may be considered worth something, as it runs parallel to the fragmentary evidence which we have of the matter of divorce among the Hebrews.

Remarriage of the divorced man and woman might occur, if circumstances brought them together again. At least in the case of Michal and David, remarriage occurred. This took place after the accession of David to the throne of Judah, however, and as a rule the affairs of kings are exceptional. This particular case was a remarriage after a divorce to which the husband did not agree, in which he was obliged by the exigencies of life or death to concur. Yet every divorce and remarriage is peculiar. Such disruptions of the normal processes of life can hardly be expected to follow a routine. David's actions in matters of sex relationship were not always commendable even to the people of his own time, rude as those people may seem to us moderns. Yet even as we recognize that the instance may be far from typical of ordinary cases, we recite it as one of the shreds of evidence which we have to throw light on the obscure procedures of divorce in the earlier period of Hebrew history. When David had gained the throne of Judah, Abner held the dominant hand in the territory of Israel to the north where had been the stronghold of Saul, now dead on the battlefield of Gilboa. Abner recognized the growing power of David and sent to make overtures of submission. David agreed to the reconciliation between north and south on the proviso that Michal, his former wife, should be restored to him by Abner. A pitiful tale it is. Almost by force, Abner took

Michal from her husband, Paltiel ben Laish, to whom Saul had given her. "And her husband went with her, weeping as he went, and followed her to Bahurim. Then said Abner unto him, 'Go, return.' And he returned." (II Samuel 3:16). As we read, we wonder whether romance bred in those ancient days as it has in the interval. Paltiel seems to have loved Michal, and David had not forgotten her. Had the story come to us from the hand of someone whose heart was quick to sense, and whose hand was inspired to tell of, earthly loves, there might have been spread upon the records here a romance to match the classics.

It is not surprising that divorce should have been a simple process and wholly at the will of the husband. The entire social fabric of the family in those days was built around the man as the centre and motivating agent of all the life and activity of the group. So much for the earliest period.

The code of Deuteronomy in the seventh century has a clause on divorce. This required that divorce be allowable only when a reason is given by the husband for the divorce. Furthermore, the husband is required to give to the divorced woman a document written in evidence of her divorce. "When a man taketh a wife and marrieth her, then it shall be if she find no favor in his eyes, because he hath found some unseemly thing in her, that he shall write her a bill of divorcement and give it in her hand and send

her out of his house." (Deuteronomy 24:1). This made divorce a legal affair. The very process of making out a formal document of divorce would give the husband time to "think twice." The law thus would protect the woman from caprice and temporary whim. The law goes on to specify that the woman might marry another man after her divorce. If, however, this second husband should divorce her, or should he die, the first husband is forbidden to remarry the woman. This enactment is reflected in the words of a contemporary prophet, Jeremiah. In charging the people with brazen, wanton apostasy from Yahweh, the prophet depicts their desperate straits in terms of the divorced woman who may not be remarried to her first husband. "If a man put away his wife, and she go from him, and become another man's, can there be a return unto him?" (Following a revised text). (Jeremiah 3:1).

In a prophet of the days following the exile, there is the first note of disapproval of divorce. The statement in opposition to divorce comes in connection with a recital of the reasons for the disaffection of Yahweh toward his people. One of the reasons was "because the Lord hath been witness between thee and the wife of thy youth, against whom thou hast dealt treacherously, though she is thy companion and the wife of thy covenant. . . 'Therefore take heed to your spirit, and let none deal treacherously against the wife of his youth. For I hate putting

away,' (divorce) saith the Lord, the God of Israel, 'and him that covereth his garment with violence,' saith the Lord of hosts. Therefore take heed to your spirit, that ye deal not treacherously." (Malachi 2:14-16).

It is possibly significant that the P document has no clause in its codes which deals with the matter of divorce. May it be that the compilers of the code feared lest the presence of a clause on divorce in their code might seem to give sanction to divorce, whereas they looked on it with disapproval, even as Malachi did? They could hardly have hoped to do away with the practice, but they may have hoped to discourage it. Mention is made of cases of divorced women in the codes. This indicates that the practice continued and had to be reckoned with. (Leviticus 21:7, 14; 22:13; Numbers 30:9).

We are able, therefore, to trace a gradual effort to make the practice of divorce more difficult, and the growth of a sentiment against divorce especially in the minds of religious leaders.

Widows The woman whose marriage was dissolved by the death of her husband, was in a difficult position. Many passages appeal to the Hebrew to be considerate of widows and orphans, and not to oppress them or do them injustice in any regard. (Exodus 22:21, 23; Deuteronomy 24:17; Isaiah 1:23; 10:2; Jeremiah 7:6; 22:3; Ezekiel 22:7; Malachi

3:5; Zechariah 7:10; Psalms 68:6; 146:9; Job 22:9; 24:3, 21). In the earlier times, a second marriage followed frequently soon after the death of the first husband. Thus Abigail married David at once upon the death of her churlish husband Nabal. (I Samuel 25:39ff). If the widow did not marry at once, she would return to her father's house. There she would remain probably until a second marriage was contracted. Thus Tamar returned to her girlhood home upon the death of Er and Onan, to wait till Shelah the third son of Judah was old enough to contract the responsibilities of the levirate and marry his brother's widow. (Genesis 38:11). The same procedure is noted in the P document as being proper for the widowed daughter of a priest. (Leviticus 22:13). From this, we infer that when it was possible, the widow went back to her family for protection and a home on the death of her husband.

The Levirate The law of the levirate worked out for the protection and benefit of widows as well as to the advantage of the family in the perpetuation of the deceased's name through an heir by fiction. The material from which we can gather information concerning the practice of the levirate among the Hebrews is not very plentiful. Nevertheless, there is quite enough to substantiate the practice.

The earliest instance in the records is that of

the sons of Judah. The eldest son, Er, married Tamar. Upon Er's death, it fell to Onan his next younger brother to take Tamar and beget a son who should bear the name and inherit the titles and privileges of Er. Onan evaded his duty and suffered the penalty of death at the hands of the deity. It thus developed upon Shelah, the third brother, to marry Tamar. The purpose of this custom as it is represented in this narrative was "to raise up seed" to the deceased. (Genesis 38:8). Nothing is said about inheritance in this connection. The whole purpose seems to be the perpetuation of the name, or line, of the dead. This may be due to the fact that the background of life surrounding the family of Judah is pastoral and not agricultural. Until the agricultural stage had been reached, the matter of inheritance of land did not loom up as an element supplementing the purpose of the levirate to continue the name of the family. In the other instances of the custom, however, the matter of safeguarding the inheritance does not figure either. The natural conclusion is that inheritance of property did not figure in the custom among the Hebrews.

The most definite formulation of the custom appears in the code of Deuteronomy. There is no reason for supposing that this statement is not adequate for the custom as it was practised in all periods of Hebrew history. The clause deserves full quotation. "If brethren dwell together, and one of them die and have no son,

the wife of the dead shall not be married without unto a stranger. Her husband's brother shall go in unto her, and take her to him to wife, and perform the duty of a husband's brother unto her. And it shall be that the first-born that she beareth shall succeed in the name of his brother that is dead, that his name be not blotted out of Israel. And if the man like not to take his brother's wife, then his brother's wife shall go up to the gate unto the elders and say, 'My husband's brother refuseth to raise up unto his brother a name in Israel. He will not perform the duty of a husband's brother unto me.' Then the elders of his city shall call him and speak unto him. And if he stand and say, 'I like not to take her,' then shall his brother's wife come unto him in the presence of the elders, and loose his shoe from off his foot, and spit in his face. And she shall answer and say, 'So shall it be done unto the man that doth not build up his brother's house.' And his name shall be called in Israel, 'The house of him that hath his shoe loosed.'" (Deuteronomy 25:5-10). It appears, therefore, that the obligation to carry out the custom of the levirate might be evaded, but only at considerable cost in social obloquy. This was the formulation of the custom as it was in vogue just before the exile.

After the exile, there was an attempt to eliminate the custom of the levirate from Jewish life. The law defining the custom is conspicuous by its absence from the code of the

P document, which was composed during the exile, and the years immediately subsequent. Furthermore, in the laws defining the proscribed degrees of kinship within which marriage might not take place, the law specifically states that a man may not marry his brother's wife. "And if a man shall take his brother's wife, it is impurity. He hath uncovered his brother's nakedness. They shall be childless." (Leviticus 20:21). "Thou shalt not uncover the nakedness of thy brother's wife. It is thy brother's nakedness." (Leviticus 18:16). Twice, the specific interdict of this kind of marriage appears, therefore, in the code of the later period of Jewish life. As we have noted previously, the P document in its law codes sought to extend the forbidden degrees of consanguinity for persons intending marriage. The custom of the levirate ran counter to the ideal of the formulators of the new laws, and they stood against it.

There was opposition to this new law by many. Such opposition was natural, in view of the conservative tendencies of humanity. Once more, as in the case of the interdict on marriages with foreigners, the Book of Ruth gave expression to the protest against the change in custom. Possibly, the weight of influence of the leaders in the restoration was sufficient to secure the observance of the laws as they are recorded in the P document; but the laws ran absolutely counter to ancient custom. The Book of Ruth undoubtedly represented the feelings of a great

many who submitted to the new rulings, but with mental reservations in favor of the old ways.

The description of the levirate in the Book of Ruth is deserving of consideration. There are two threads running through the climax of the story. One deals with Naomi and concerns the purchase of her husband's land. The other thread concerns Ruth, the Moabitess, and involves the perpetuation of the family line of Elimelech, Naomi's son, deceased husband of Ruth. We have already discussed the story at some length in connection with the meaning of the "next of kin" and his responsibility in the family affairs. (See Chapter III. p. 74f). Strictly speaking, this is not an instance of the levirate in the proper sense of that term, for the one who married Ruth was not her brother-in-law. The brother-in-law was dead, however, and the next of kin was the one who took up the duty of marrying the widow. Whether this was the usual procedure under the circumstances, we can only conjecture. It may be that the writer in endeavoring to defend the levirate against its antagonists chose this incident just because Boaz in his compassion, or shall we say love, for Ruth accepted the responsibility which properly would fall to one nearer of kin to the widow than he. The narrator may have hoped that those who would render the custom of the levirate obsolete might in reading this be led to feel their comparative narrowness of spirit.

Summary In conclusion, we summarize. The lot of widows was under the best of circumstances a hard one, even as it has been in all times and amid all peoples. Frequent appeals for consideration of their lot appear in the Old Testament. The institution of the levirate often mitigated the severity of the widow's condition; but the primal object of such a marriage was not humanitarian. The union between a widow and her deceased husband's brother was intended primarily to prolong the family in the male line. The custom persisted until late in Jewish times in spite of considerable opposition to it in the later law codes.

Chapter IX

MUTUAL RELATIONS OF PARENTS AND CHILDREN

Honor to Parents

FREQUENT stress is laid in the Old Testament on the duty of children to honor their parents. The familiar clause in the decalogue will come to mind at once. "Honor thy father and thy mother, that thy days may be long in the land which the Lord thy God giveth thee." (Exodus 20:12; Also Deuteronomy 5:16). The ninth century Book of the Covenant laid the death penalty upon the person who smote either his father or his mother. (Exodus 21:15). The same penalty was set also for the person who cursed his father or his mother. (Exodus 21:17). How far we have traveled from such a primitive law! This is not the place to moralize upon the direction in which we have been moving. Certainly, the death penalty would not be reinvoked by moderns as a means of securing honor to parents.

The Deuteronomic code was as usual more specific in its statement of the law defining the attitude of children toward their parents. The death penalty was exacted also in this code for failure to show the proper respect for their wishes. Disobedience and failure to respond to

the voice of parents made a man liable to trial before the elders in the gate. If the case was proven, the culprit was to be stoned to death. (Deuteronomy 21:18-21). One of the clauses in the curses which were to be pronounced from Ebal upon the immigrant Hebrews, to offset the blessings from Gerizim, was the phrase, "Cursed be he that setteth light upon his father or his mother." (Deuteronomy 27:16). This is no doubt a section introduced by writers of a much later date than the Deuteronomic period. The blessings which were composed to be pronounced upon Gerizim are of a much different tone and content from these curses. Even so, the composition of editors in the period following the exile is illuminating as to the point of view of their time and mind on the relation of parents and children.

The P document also contains the law requiring honor of parents at the penalty of death. "Every one that curseth his father or his mother shall surely be put to death. He hath cursed his father or his mother. His blood shall be upon him." (Leviticus 20:9. Cf. 19:3). And while the penalty of death is not mentioned in the Book of Proverbs, this one of the latest compositions to find a place in the canon of the Old Testament includes many an injunction upon children to have regard for parents. "Hearken unto thy father that begat thee, and despise not thy mother when she is old." (Proverbs 23:22).

Care for Children Care and affectionate regard for children is taken for granted on the part of parents. From the fact that the social order was patronymic, it would be natural to suppose that boys would be of more value in the sight of parents than girls. Girls are rarely mentioned in genealogical lists. Girls would have a certain economic worth in the periods when marriage by purchase prevailed. The poor man, however, could not expect much return from the marriage of his daughters, unless they chanced to win the attention of some of the nobility or wealthy. In extreme poverty, it would be the girls who would be disposed of first as slaves to some more fortunate Hebrew family. In some instances, sale of children might be made to foreigners. We should not think of the parents who sold their children as heartless. Sometimes under well-tempered masters, the enslaved children would be in far better circumstances than they would have been in the pangs of starvation conditions at home. The maidens also as slave-wives of the right sort of masters would not be in the worst of circumstances. Nevertheless, the break of ties so close as those of parents and children could never be made without grief. A classic passage in illustration of the woe entailed by the custom is to be found in Nehemiah. "Then there arose a great cry of the people and of their wives against their brethren the Jews. For there were that said, 'We, our sons and our daughters are many. Let

us get grain, that we may eat and live.' Some also there were that said, 'We are mortgaging our fields, and our vineyards and our houses. Let us get grain because of the dearth.' There were also that said, 'We have borrowed money for the king's tribute upon our fields and our vineyards. Yet now our flesh is as the flesh of our brethren, our children as their children. And lo, we bring into bondage our sons and our daughters to be servants, and some of our daughters are brought into bondage already. Neither is it in our power to help it, for other men have our fields and our vineyards.'" (Nehemiah 5:1-5).

Economic conditions affected the family among the Hebrews quite as they have among all peoples. Even the orphaned child might be taken into slavery to satisfy the creditors of the deceased father. This fate threatened in the case of the prophet's widow who appealed to Elisha for help. Her two sons were in peril of becoming slaves to her husband's creditors. Elisha managed to secure the means by which she could meet her obligations and at the same time retain her sons in the home. (II Kings 4:1ff).

Devotion of Children in Religion

Religious obligations also caused many unnatural changes in the relationship of parents and children. Sometimes, the personal and peculiar vows of parents pledged the children to the exclusive service of the deity. Hannah

made a vow to Yahweh that if she should be given a male child, she would dedicate him to the service of the sanctuary for his life. Hence, when Samuel was born, his mother took him as soon as he was weaned, and gave him over to the priest Eli. "And the child did minister unto the Lord before Eli the priest." (I Samuel 2:11). This pledging of a child to life-service in the sanctuary is only an extreme form of such vows as those of the Nazirite, who was obliged to abstain from strong drink, or the cutting of hair or beard. Samson was bound by the Nazirite pledge of his parents. (Judges 13:2ff). These personal vows are to be distinguished from the general requirements which are to be found in the law codes, indicating that all first-born sons of the Hebrews were to be devoted to the deity.

Devotion of the First-born

From the earliest to the latest code, the law reads consistently, "All that openeth the womb is mine." This phrase is quoted from the ancient decalogue of the J document. (Exodus 34:19). A later editor has added the prescriptions for the redemption of the devoted ones, as well as the notation that animals as well as children were to be devoted to the deity. "And the firstling of an ass thou shalt redeem with a lamb. And if thou wilt not redeem it, then thou shalt break its neck. All the first-born of thy sons thou shalt redeem." (Exodus 34:20). The prescription reads as though the first-born

son as well as the firstling of the ass was to be slain for the deity, but that a substitute might be made according to certain rules.

In the E document, the Book of the Covenant indicates the same requirement, but does not indicate the possibility of a substitution. "The first-born of thy sons shalt thou give unto me. Likewise shalt thou do with thine oxen, and with thy sheep. Seven days it shall be with its dam. On the eighth day thou shalt give it me." (Exodus 22:29, 30). The implications in this code and the contemporaneous one from the southern region, the J document, is that originally the demand of religion was for the sacrifice of the first-born of animals, the ox and the ass at least, and of male children. Whether the commutation of the requirement, by which a lamb or some other beast might be substituted for a child, was a later modification, or had been included in the requirement from the beginning, we cannot say with certainty. We incline, however, to the opinion that it is a later modification.

The Deuteronomic law of the seventh century also included the requirement of the sacrifice of the firstlings of the herd and of the flock; but it makes no reference to the requirement in relation to first-born human beings. (Deuteronomy 15:19). The Deuteronomic editors, however, in their editing of the records of the early days of the nation, incorporate in their work the same requirement as that which we have noted

in the J and E documents. They add their own interpretation of the sanction for the law. "And it shall be, when thy son asketh thee in time to come, saying, 'What is this?' that thou shalt say unto him, 'By strength of hand the Lord brought us out from Egypt, from the house of bondage. And it came to pass when Pharaoh would hardly let us go, that the Lord slew all the first-born in the land of Egypt, both the first-born of man, and the first-born of beast. Therefore I sacrifice to the Lord all that openeth the womb, being males; but all the first-born of my sons I redeem.' " (Exodus 13:14, 15). These Deuteronomic editors trace a great many customs back to the days of Egypt, or the wilderness sojourn. Their interpretations of ancient customs are interesting, but we are not bound to consider them accurate in representing the original practice, or its primal significance.

The P document of the time following the exile has made a further modification of the ancient custom. This code specifically asserts that the requirement of the deity is service in the sanctuary. The Levites are "wholly given unto him (the deity) on the behalf of the children of Israel." "And the Lord spake unto Moses saying, 'And I, behold, I have taken the Levites from among the children of Israel instead of all the first-born that openeth the womb among the children of Israel, and the Levites shall be mine. For all the first-born are mine.

On the day that I smote all the first-born in the land of Egypt I hallowed unto me all the first-born in Israel, both man and beast. Mine they shall be. I am the Lord.'" (Numbers 3:9,11-13). This code minimizes the requirement as to beasts in this connection, for the producers of the code are anxious to establish the Levitical order in the service of the temple. Like the Deuteronomic writers they seize upon the past with tools of their own shaping and read into the ancient custom their own interpretation, which better fitted their own times. In this, there is little harm done except to those of posterity who are not of discriminating mind. One must distinguish between the time of production of the several documents and the codes which they contain before he can find the blazings on the trail back to the primitive past, and discover the crude and dreadful folkways out of which the Hebrews came. There can be little doubt in any mind that the Hebrews in the days before the historic period had the requirement of the sacrifice of the first-born, man and beast, to the deity, even as many of their contemporaries in the land of Palestine and the surrounding regions. The true significance of this Hebrew people for the world of advancing moral ideal and civilization appears in the moulding influences of the great religious leaders of succeeding generations, who gradually won their people away from savage and barbarous customs into milder and more up-

lifting conceptions of the deity and of his demands upon humankind.

The Book of Nehemiah supported the requirement of the P document and its interpretation of the ancient folkway. "Also the first-born of our sons, and of our cattle, as it is written in the law, and the firstlings of our herds and of our flocks, to bring to the house of our God, unto the priests that minister in the house of our God." (Nehemiah 10:36). This Book of Nehemiah is contemporary with the compilation of the various elements of the P document.

Human Sacrifice

While the later codes interpret the requirement of the deity in regard to the first-born in terms of service in the temple, there is something more in the background of the wording of the earlier codes. Even these latter do not go back beyond the days of the early monarchy, except as they embody customs and practices which had preceded. In all the codes, the harsh demand which we have noted, that the first-born should be sacrificed to the deity, is softened into the substitution of some other gift. We shall see in the records aside from this specific requirement which is found in the law codes, evidence that human sacrifice was practiced by the Hebrews in the name of their God, Yahweh. While this may be traced to the influence of Canaanitish, or Phoenician religions, the testimony of the law codes is such as to point a historian back to the

prehistoric periods of Hebrew history, and to establish the premise that such sacrifices were germane to Hebrew religion in and of itself. The burden of proof is upon those who would see in the pre-historic days a golden age of ideal life from which the later Hebrews degenerated. We prefer to see in that pre-historic period the crude beginnings out of which later barbaric and civilized institutions grew. The contacts with other religions which practiced human sacrifice in Canaan, made it all the more difficult for the Hebrew idealists to lead their people away from such practices. The evidence points, however, to the conclusion that the Hebrews themselves had practiced these horrid rites in accord with their own folkways.

There is one clear case at least in the records of the Hebrews of the sacrifice of a human being in the fulfillment of a vow to Yahweh, the national deity. We refer to the sacrifice of the daughter of Jephthah. This "judge," as the early tribal chieftains were called, won a victory over the children of Ammon. Prior to the battle, Jephthah vowed to offer as a burnt-sacrifice, to use the words which are placed in his mouth by the record, "Whosoever cometh forth from the doors of my house to meet me, when I return in peace from the children of Ammon." His daughter it was who came forth to meet her victorious father "with timbrels and with dances." The sacrifice of the girl instituted a custom of a four day celebration in memoriam of

her. (Judges 11:29-40). Part of the story comes from the J document and a larger portion from the E document, for the narrative is a composite of the two. These are the two earliest historical documents. It is the usual thing for writers on Hebrew history to minimize this event as a sort of vagary on the part of a barbarous and primitive-minded chieftain, which could not possibly have any significance for the people as a whole. To us, it is of tribal import. It reveals the Hebrews at the same stage in their development as the Moabites, at the time when the king of the latter people sacrificed his only son on the walls of his capital city to secure from Chemosh, his god, relief from a besieging host. This record appears in the book of Kings. (II Kings 3:27). By the normal development of Hebrew folkways, the people came at length to abandon the practice of human sacrifice, except in cases of extreme urgency. At a crisis, the tendency would be to revert to the ancient practice, however horrid that might be, in order to make the supreme demand upon the deity for aid. The fact that Jephthah did not make a specific vow to sacrifice his daughter does not militate against this view in the least. He intended a human sacrifice, whether he thought of his daughter or of some other member of his household. The phraseology of the story indicates this fact. "Whosoever cometh forth from the doors of my house to meet me." The case is not altered, if

one prefers to use the "whatsoever" of the English versions instead of the "whosoever" which we employ. They represent the same somewhat stilted Hebrew phrase, "the goer forth which goes forth." The gender is indeterminate. That which comes forth from the doors of a house to meet a man, is some member of his household. It might chance to be a dog, of course, or some other household pet; but to mention such as possible objects of sacrifice in the mind of a tribal chieftain in the face of mortal peril, making a vow to his God in a moment fraught with tragic possibilities, is to dismiss them from the case.

The sacrifice of the daughter of Jephthah stands as a link between the days when it was a normal folkway to make human sacrifice and the time of those codes which allow, or rather require, a substitute for the sacrifice of the first-born to Yahweh. The ancient custom had declined by the days of Jephthah. Only an emergency of the utmost gravity would call forth the practice.

The struggle against human sacrifice could not have been easily successful. With the example of Canaanite neighbors pressing upon him, the Israelite would feel a constant urge to continue the practice which had marked the custom of his forebears. Unless such practices had existed among the ancient Hebrews, how can one explain the presence in the records, or toleration, of such a story as that of the purpose

of Abraham to offer Isaac as a sacrifice to Yahweh? The narrative would not have appeared without some explanation of such an act, unless the custom had been approved of old.

This story in the twenty-second chapter of Genesis may be taken as a bit of fiction, composed for the purpose of weaning the Hebrews away from the practice of human sacrifice. On the other hand, of course, it may be based upon an historical fact, which has been incorporated in the E document alone. We have no means of determining with certainty as to its historicity, but, be it fiction or fact, the story is true. That is to say, if it be not historically true, it is nevertheless psychologically true. It would lend itself admirably to the purposes of propaganda against human sacrifice. It may have been composed for that very purpose, as many another story in the Bible was shaped to point a moral. We are inclined to consider it a product of the ninth century, when Canaanite religious influences were rushing into Hebrew life. There was need for just such a message as the story had to deliver.

The climax of this very familiar story comes with the indication by the deity that he preferred the sacrifice of rams to that of humans. Unless the story is held in its original background, it may be perverted to diabolical misuse. It has been said to teach obedience to God. Abraham is commended in the narrative for obeying the demand of God for the sacrifice of

his only son, Isaac. Taken apart from the social and religious folkways of primitive times, this is an immoral story. It is one thing to dedicate a child to God, and quite another to take him to a desolate mountain and slay him on a sacrificial stone. To such a deity as could require this bloody offering, from our modern standpoint of morality, Abraham should have made answer, "No, indeed! I will not take the life of my son even at your request." When, on the other hand, the story is read in the light of primitive days before which human sacrifice had been a common practice for generations, a moral may be discovered. The narrator is aiming to emphasize the substitution of animal for human sacrifice, and represents the deity as commending the past custom of human sacrifice, only that he may not do violence to the sincere beliefs of the past, while he himself seeks to do away with the practice, discrediting it.

The annals of the later kings reveal the practice of human sacrifice in the name of foreign deities. The service of these foreign deities by such dreadful rites could hardly have found such ready access to the palaces of the Hebrews, unless there had been in the folkways of the past a practice which lured the people to revert to the same. (See II Kings 16:3; 17:17; 21:6; 23:10). Not only in the records of the Kings, but in the works of contemporary prophets as well, there is found evidence of human sacrifice. Jeremiah and Ezekiel both denounce

it, the one in the late seventh, and the other in the early sixth century. (Jeremiah 7:31; 19:5; 32:35. Ezekiel 16:20; 20:25, 26).

That human sacrifice was practiced in the name of foreign deities by the Hebrews may be readily conceded. There is a tendency, however, to revolt at the thought that such sacrifices could have been made in the name of Yahweh. Those who have won to the vantage point whence they can see the ages unfold in perspective, will not be greatly disturbed by the evidence. It is a mistake to confuse the Deity with human conceptions, changing and developing, of that Deity.

When the Hebrews destroyed Jericho, as they invaded Palestine under Joshua, the latter pronounced a curse upon the site in the name of Yahweh his God. "And Joshua charged them with an oath at that time, saying, 'Cursed be the man before the Lord, that riseth up and buildeth this city Jericho. With the loss of his first-born shall he lay the foundation thereof, and with the loss of his youngest son shall he set up the gates of it.' So the Lord was with Joshua and his fame was in all the land." (Joshua 6:26). Note especially the introduction of the curse, which is placed "before the Lord." The sequel can only be that the God will not permit the rebuilding of the city except proper sacrifice be made to him. The proper sacrifice with which to remove the curse would be the first-born son for the foundations of the walls,

and the youngest son for the setting up of the gates. In the sixteenth chapter of the First Book of Kings comes the sequel. "In his (Ahab's) days did Hiel the Bethelite build Jericho. He laid the foundation thereof with the loss of Abiram, his first-born, and set up the gates thereof with the loss of his youngest son, Segub, according to the word of the Lord, which he spake by Joshua the son of Nun." (I Kings 16:34). The story is tersely told, and the implications are best understood by those who are familiar with such superstitions with regard to the foundations of cities and gates, as they exist and have existed among other peoples. The fact is that Hiel sacrificed his two sons to Yahweh, the national deity of the Hebrews. This tragic sacrifice occurred as late as the ninth century.

Was Hiel, then, the only one to do such a thing in the name of Yahweh? We are of the opinion that he was not. The vigorous warnings of the Deuteronomist against making human sacrifice to Yahweh appear in the nature of evidence that such sacrifices had been made. "Thou shalt not do so unto the Lord thy God; for every abomination to the Lord, which he hateth have they done unto their gods, for even their sons and their daughters do they burn in the fire to their gods." (Deuteronomy 12:31). When, furthermore, the records in the Book of Kings which we noted above, declare that the kings "caused their sons and their daughters

to pass through the fire," etc., are we to suppose that these Hebrew kings made such sacrifices only to deities other than the Hebrew national God? Misguided and apostate as the religious historians regarded them, they were yet Hebrew kings. As such, they would never wholly abandon their ancestral deity. Even Ahaz when he went over to the Assyrian gods, who had proven themselves more mighty than Yahweh in that their arms had overcome the warriors of Israel, as he set up the altar of the Assyrian god in the place where the altar of Yahweh had stood, still retained the latter and used it "to inquire by." If in this extreme case of apostasy, the king still held his national God in reverence as the one to whom he would go for oracular advice, it is not too much to suppose that this same national deity was the one to whom he sacrificed his son. (II Kings 16:3). As the religious historians and the prophets rightly declare, the kings were misguided and wrong in supposing that the true God desired such dreadful sacrifice; yet we can hardly doubt that human sacrifices were made even down to the later monarchies to the national God.

In that matchless passage of the Book of Micah, where the people of God are summoned to defend themselves against the charge of high God in the presence of the mountains as "elders in the gate" to decide the case, there is a significant clause in the confession of the defendant. No plea has he to make, only confession.

"Wherewith shall I come before the Lord, and bow myself before the high God? Shall I come before him with burnt offerings, with calves a year old? Willl the Lord be pleased with thousands of rams, or with ten thousands of rivers of oil? Shall I give my first-born for my transgression, the fruit of my body for the sin of my soul?" (Micah 6:6, 7). Of course, the entire proffer of sacrifices of whatever sort is rejected by the decision of the judges which follows. "He hath showed thee, O man, what is good, And what doth the Lord require of thee, but to do justly and to love kindness, and to walk humbly with thy God." (Micah 6:8). Nevertheless, the offered atonement is not unhistorical, nor is it wholly hyperbole. Should one say that the writer is not serious in representing the nation as offering its first-born for its transgression, he must also deny what is not to be denied, namely that Israel had offered to God "burnt offerings, calves a year old," "thousands of rams," and "ten thousands of rivers of oil." While the latter does border on hyperbole, the others at least must stand. The prophet is stating a case. Each clause is carefully chosen and worded to rise to a climax. The successive stages are based upon historical fact up to the last, and our literary instinct tells us that the whole fabric collapses, if the last stage be merely imaginative. In the light of the evidences which we have assembled in this chapter, the words of the prophet are significant, and add to the

cumulative force of the whole discussion.

Our conclusion must be that human sacrifices were practiced by the Hebrews. The earlier traces reveal that they were made to Yahweh, the national deity. The horrid rites continued among the Hebrews even down to the time of the exile. The prophets and religious leaders of the more progressive type, on the other hand, fought the practice with vigor. The cataclysm of deportation helped, furthermore, to remove this blot on the national life, as it served also to remove many other things which were not worthy of the ideal Israel.

Chapter X

THE CUSTOMS OF INHERITANCE

Inheritance by Slaves

CHILDLESSNESS was not only a cause for grief lest the family become extinct, but the Hebrew like any other felt keenly distressed that his possessions should go to some other than his own flesh and blood. The lament of Abraham which invoked the promise of a son whose seed should inherit the land, stands in a composite narrative, in which the J and the E documents are mingled. (Genesis 15:2). In the words of the J document, his lament reads, "And Abram said, 'O Lord God, what wilt thou give me, seeing I go childless, and lo, one born in my house is mine heir.'" The literal rendering of the last clause, "A son of my house is my heir," throws light on the meaning of the lament. A slave was destined to become heir of the childless master. When we consider the status of a slave in a Hebrew family, expecially in the primitive days of nomad life, there is nothing in this fact to cause wonder. The slave was really a member of the family of the master, and only lower in privilege than those bound to the head of the family by ties of physical kinship. The E document specifies the

person who was to be heir of Abraham as "Eliezer of Damascus" without indicating his status in relation to Abraham. Originally, however, this document may have had the same statement as the J document.

Again, in one of the latest of the books of the Old Testament, there is a hint of such another occurrence as that a slave should be heir of a man. "A servant that dealeth wisely shall have rule over a son that causeth shame, and shall have part in the inheritance among the brethren." (Proverbs 17:2). If a slave might share in the inheritance with sons, then certainly he might inherit the possessions of his master in default of sons. This section of the Book of Proverbs is to be dated much earlier than the compilation of the book in its present form. Probably, the sentiment of this passage should be taken to represent the situation at about the time of the exile. There is another reference to inheritance by a slave in the First Book of Chronicles, which is a product of the period following the exile. Among the Jerachmeelites was a man named Sheshan. It is said of him that he "had no sons, but daughters. And Sheshan had a servant, an Egyptian,whose name was Jarha. And Sheshan gave his daughter to Jarha his servant to wife, and she bare him Attai." (I Chronicles 2:34, 35). Thus might a slave gain the rights of a son by becoming the son-in-law of his master.

Inheritance by Women Daughters are not noted as possessing the right of inheritance in the earlier records. It is not until the period following the exile that an instance is noted which gave rise to a law in Israel with regard to inheritance of women. The incident is recorded as having taken place during the lifetime of Moses; but those who are familiar with the characteristics of this P document in which it appears, will comprehend that it may not be historical. If it were an historical fact, there is great difficulty in understanding why the earlier documents and especially the earlier law codes are silent on this important matter of the right of daughters to inherit in case a man dies without sons. The greater probability is that the case is one which has been created by the legislators of the time of the P document in their effort to meet the problem presented by such a situation, so as to permit women to inherit. The incident appears in two contexts. The narrative in the Book of Numbers is more detailed than that in the Book of Joshua, hence we quote the former. The five daughters of Zelophehad are said to have appeared before Moses and before Eleazer the high-priest and the assembled Israelites saying, "Our father died in the wilderness . . . and he had no sons. Why should the name of our father be taken away from among his family, because he had no son? Give unto us a possession among the brethren of our father." The reference is to

the anticipated division of the land of promise the conquest of which the Hebrews are represented as about to begin. Moses received from Yahweh an approval of the request of the five women that they should have a partition of land among the other Manassites, when the conquest should have been completed. The resultant law for Israel is stated in sequence. "If a man die and have no son, then ye shall cause his inheritance to pass unto his daughter. And if he have no daughter, then ye shall give his inheritance unto his brethren. And if he have no brethren, then ye shall give his inheritance unto his father's brethren. And if his father have no brethren, then ye shall give his inheritance unto his kinsman that is next to him of his family. and he shall possess it. And it shall be unto the children of Israel a statute and ordinance, as Jehovah commanded Moses." (Numbers 27:1-11. Cf Joshua 17:3-6). The P document extends around the simple permission to women to inherit property a series of concentric circles of inheritance rights. The process looks unreal, and it is to be doubted if it represents the actual procedure in any but the times in which the document took shape. Especially is it doubtful if women had inheritance rights at any time prior to the exile. It is notable that even in the law which supposedly arose out of a case in which daughters were permitted to inherit, the extension of inheritance rights step by step in default of the preceding potential

heir, is in the male kinship line. In a patronymic social order, however, such as the Hebrew lived in at least during the historic period, it is not surprising that men only should have inheritance rights. The anomaly is that there should be an instance like that of the daughters of Zelophehad, and that women should ever be considered in the matter of inheritance.

In Nomadic Life

The inheritance as a rule fell to the son, or sons, of a man. In early times when life was in the nomadic stage, the right of inheritance, which fell naturally to the eldest son, consisted principally in the leadership of the tribe. When Isaac was on his death-bed, he called to him his son, Esau. Jacob came instead, disguised by the connivance of his mother so as to resemble Esau in the hairiness of his body. Thus Jacob received the blessing which was properly due to the first-born. In this case, the difference between the first and second born was but a matter of minutes, for the two sons were twins. One can readily understand the feelings of the keen-witted and ambitious Jacob as he foresaw the time when the primacy should pass to his easy-going brother, older than he by so few breaths. Jacob determined that the chance of birth should not determine the primacy, which was involved in the blessing by the father. In the blessing, was conferred the right of chieftainship. "Be lord over thy brethren, and let thy

mother's sons bow down to thee." (Genesis 27:29).

It would appear from the symbolism in the narrative of the selling of his birthright by Esau to Jacob for a mess of pottage, (Genesis 25:27ff) that the tenure of leadership depended upon the ability and alertness of mind of the tenant. This incident which was hardly more than a joke between brothers, was in reality a token of what might be expected, and of what actually did happen subsequently. Mere heredity did not assure any man the position of chief then any more than it does today. He had to prove and maintain his right to leadership by efficient service and control. Yet as a rule, it is probable that the eldest son succeeded the father. In any case, the naming of his successor by the dying chief would give to the son who was thus pointed out a surpassing claim to the succession.

The dying chief had the right to pass over the eldest son if he would. Jacob himself at his last day passed over his three sons Reuben, Simeon, and Levi and gave the succession to Judah, a younger son by the same wife, Leah. (Genesis 49:3-8). Of course, we are somewhat at a loss to know in this case how much is personal experience of individuals and how much is due to the method of preserving tribal records about which we wrote in an earlier chapter. Nevertheless, the son who was designated as successor would have to prove his worth in the position to

which he passed. Especially in the nomad life, would leadership depend upon ability rather than upon appointment.

It is doubtful if the younger sons had any share in the possessions of their deceased father in the nomadic stage. The tribe could not break up into the small independent households which prevail under the more settled life. The conditions of nomadic life require that the second and third generation cling to the first and merge their interests. All had a right to the resources of the tribe in flocks and herds. Technically, these together with all the human beings of the group were the possession of the sheikh. This theoretical ownership passed to the inheriting son. The other sons still had their right to maintenance and to a share in whatever good came to the group as a whole.

In Settled Life In the settled life of the agricultural stage in the development of Hebrew civilization, circumstances no longer demanded that the group remain as large as it had been in the nomadic stage. The larger group of two or three generations was no longer desirable in many cases. Hence, the family would disintegrate into smaller groups. These would still be mutually interdependent, but each would be a separate household under the leadership of one of the sons. Under these conditions, it would be important and necessary that the patrimony should be divided upon the

death of the father. Each son would inherit a share of his father's estate, the eldest taking a double portion, if the provisions of the Deuteronomic code are to be taken as typical of the customs prevailing before its date. (Deuteronomy 21:17).

When the record states that Jacob passed over three sons to indicate the fourth as his successor to the leadership of the group, it is to be noted that he nevertheless chose one of his sons by his less favored wife. In this, he was true to the custom as it is formulated in the Deuteronomic code. Rachel was the favorite wife of Jacob. His inclination must have been strong to make one of her sons chief in his stead. The ruling in the Deuteronomic code would seem to be but the formulation of an ancient custom as old as the tribal group of Jacob. "If a man have two wives, the one beloved, and the other hated, and they have borne him children, both the beloved and the hated; and if the first-born son be hers that was hated; then it shall be in the day that he causeth his sons to inherit that which he hath, that he may not make the son of the beloved the first-born before the son of the hated, who is the first-born. But he shall acknowledge the first-born, the son of the hated, by giving him a double portion of all that he hath, for he is the beginning of his strength. The right of the first-born is his." (Deuteronomy 21:15-17). This formulation of the law would seem to imply that the father had no right to pass over the first-

born at all, even in the urge of love for a favorite wife to whose son he would fain give the chief portion. As we have noted above also, the share of the first-born under conditions of settled life was a double portion with the other brothers.

The right of inheritance on the part of the sons of subordinate wives depended largely upon their might and good fortune. Abraham is said to have given "all that he had to Isaac; but unto the sons of the concubines that Abraham had, Abraham gave gifts; and he sent them away from Isaac his son, while he yet lived." (Genesis 25:5, 6). Hagar and Ishmael were driven out of the group at the demand of Sarah, who requested Abraham to "cast out this bondwoman and her son, for," said she, "the son of this bondwoman shall not be heir with my son, even with Isaac." (Genesis 21:10). Jephthah also was driven out by his brethren in his youth because he was only the son of "another woman." His prowess was such, however, that in his prime the very ones who had cast him out came to seek him and make him their chief. (Judges 11:7). The inference which we draw from these incidents is that the sons of subordinate wives had a right to inherit with the sons of wives of the first rank. This right was often wrested from them by the jealousy of the sons of the regular wives. The evidence which we have bears only upon the pre-historic period and the earliest days of the immigration into Canaan. For the later periods we have no cases to cite.

The inheritance of a nomad which passed to his first-born son would be the leadership of the group. In settled life, property such as houses, land, and portable treasure would be partitioned among the sons. One question remains to be considered, namely the disposition of the harem of the deceased. There is little evidence that the son inherited the harem of his father among the ordinary people. They could rarely afford more than one wife. It was the young king, ascending the throne of his father, who inherited the wives of his sire. We shall, therefore, defer consideration of this matter until another chapter.

Summary In conclusion, we may call attention to the change in mode of inheritance attendant upon the transition from nomadic to agricultural life, and the settled affairs of cities. Under the former state, the eldest son practically received all; in the latter, the several sons divided the estate between them, the eldest receiving a double share. In default of issue, a slave might be heir of his master. The latest code from the period after the exile indicates that daughters might inherit from their father, if there were no male issue. The sons of subordinate wives shared with the other sons, unless the latter conspired to prevent it.

Chapter XI

THE FAMILIES OF KINGS AND PRIESTS

EACH class in a social order has its peculiarities. The families of the prominent members of society such as kings and priests, or the nobility, come more prominently into the attention of the historian, for these are the groups which figure most directly in the affairs of state and religion. The life of the common people is hum-drum routine with little variety in it. The historian is looking for news even as the modern reporter is. He records that which is unusual and at variance from the ordinary. We have been trying to tell the story of the Hebrew family from the point of view of the commoner. It has been a difficult task, for the records which we have are all framed with a view to interpreting the religious rather than the social life of the people. We have been obliged to use what meagre evidence they inserted from time to time regarding the phase of life with which we are concerned. It has been impossible to discuss the matters which have preceded without some mention of the upper classes; but we have left specific consideration of their life until this later chapter.

The kingdom was established among the Hebrews shortly before the opening of the first millenium B.C. The date of the accession of Saul is often set at 1037 B.C. Prior to this time, there were local leaders, and so-called "judges," who for a time had the control and direction of groups of tribes. Their power was analogous to that of kings. The princely class as such, however, does not appear before the days of Saul.

The king, as the supreme authority in the state, was able to command a large share of female property. We are using terms which seem to be warranted by the usual practice of marriage by purchase, and by the attitude in general which men assumed toward women. The king was unhampered by poverty. Thanks to war and the tribute which came into his coffers from tributary peoples, as well as to the imposts and taxes which he saw fit to impose upon his own people, he could support a harem of considerable proportions. In securing inmates for the harem, the king was limited only by the measure of popular opinion and custom beyond which it would be unwise for him to go. Married women as a rule would not be disturbed. Yet an unscrupulous king with sufficient weight of power might violate even the ties of wedlock in order to satisfy his lust for beauty.

Abimelech king of Gerar was not an Israelite, but his conduct was probably not dissimilar from that of Hebrew royalty. He took Sarah into his harem, supposing her to be the sister of

Abraham. When he discovered that she was the wife of the latter, he returned her to her husband with great haste. (Genesis 20:3-7). The Israelitish king, David, however, made but a feeble attempt to correct his sin against Uriah the Hittite. David must have known that he was violating another man's wife, that he was committing adultery, when he first had relations with Bathsheba. His desire for the woman was so great that he did not stop at murder in order to possess her charms. After the death of the husband at the battle front, David took the woman into his harem, and she later bore to him the famous Solomon. The widow of Uriah remarried with speed, because the king desired it. The king was an autocrat. Even in Israel, no woman was immune from the danger of being rapt away to the royal harem. (II Samuel 11:2-27). Nevertheless, David ran counter to popular opinion in his dealings with Uriah the Hittite. The sentiment of his realm was voiced by the prophet Nathan. Such high-handed methods could not be pursued frequently without a serious disturbance of the state of public mind.

Polygyny was the rule with kings. Gideon, the "judge," had many wives and seventy sons beside the son of his *pi'legesh* who lived in Shechem. (Judges 8:30, 31). David had at least six wives of the first rank (II Samuel 3:2-5. Cf. I Chronicles 3:1-9) beside concubines. A later passage records the fact that "David took him

more concubines and wives out of Jerusalem." (II Samuel 5:13-16. Cf. I Chronicles 14:3-7). It is possible that one of his wives, named Eglah, was his sister. In the list as it is given, Eglah is distinguished with the rather superfluous notation as" his wife." (II Samuel 3:5). In commenting upon the passage, Professor S. R. Driver suggested that possibly the original reading was "his sister." The variation of letters in the Hebrew text is very slight between the two words *'achotho*, "his sister," and *'ishtto*, "his wife." A scribe of some later time may have inadvertently made the change. Or an editor may have deliberately sought to clear David from the guilt of having married his sister, in the subsequent periods when such a marriage was proscribed. In any case, Solomon had a precedent for his enormous harem in the procedure of his father David.

A brief glimpse is given us into the sensuous atmosphere of an oriental harem in a story from the last days of David. The story might not have appeared in the record, had it not chanced that the girl who figured in it became later a cause for the death of one of Solomon's rivals for the succession to the throne. When the king, David, was stricken in years, "they sought for a fair damsel throughout all the borders of Israel, and found Abishag the Shunammite, and brought her to the king." David was all too human, and in his relations to the female population a thoroughly typical oriental auto-

crat. Why should we introduce the word "oriental" into our sentence after all, for such conduct has marked the autocrat in all lands, even in our boasted Christian states.

It is scarcely necessary to rehearse the list of the kings of Israel and Judah. They all had harems. The significance of many of the unions which they formed, however, is to be noted. Frequently, foreign alliances were cemented by marriage between the king and a princess of the land with which the treaty was made. The greater part of Solomon's wives were taken into his harem on such a basis. "Solomon made affinity with Pharaoh king of Egypt, and took Pharaoh's daughter, and brought her into the city of David." (I Kings 3:1). And many more women he took, "Moabites, Ammonites, Edomites, Sidonians and Hittites." (I Kings 11:1). The results were disastrous to the purity of Solomon's religious principles, however profitable and advantageous may have been the political alliances which he gained thereby. Another instance of alliance by marriage in Israel, which was fraught with sinister significance for the life of that people, was the union between Ahab, son of Omri, and the princess, Jezebel, daughter of Ethbaal, king of Sidon. (I Kings 16:31). The story of the struggle between Jezebel and the prophet Elijah is most familiar.

The common people were helpless to change the order of procedure on the part of their

kings, even if they ever thought of taking it otherwise than as a matter of course. By the seventh century, there had grown up a popular sentiment which was embodied in the Deuteronomic code, in which we find a specific command that the king should not "multiply wives to himself, that his heart turn not away." (Deuteronomy 17:17). There is no evidence in the conduct of king Josiah, who made such a splendid effort to enforce the provisions of this code in general, that he took this particular clause to heart. In the specific statements which are made with regard to the reforms which the king instituted, there is nothing said about the dissolution of the royal harem.

The king was economically able to support many wives, as well as to purchase them. Custom furthered his desires. The nobility, we may be sure, were not far behind their royal master in providing themselves with ample harems. The result was not beneficial to the common man in Hebrew life. "This is the reason of the levy of forced laborers, which King Solomon raised to build the house of the Lord, and his own house, and Millo, and the wall of Jerusalem . . . and Gezer. Pharaoh king of Egypt had gone up and taken Gezer, and burnt it with fire, . . . and given it for a portion unto his daughter, Solomon's wife." (I Kings 9:15,16). The people paid the costs of the luxuries of the upper classes in taxation, forced labor, and in supplies for the harem.

The harem of a king as a rule was part of the inheritance, which came to his son upon the accession of the latter to the throne. Frequently, the method of announcing usurpation of the throne was by intercourse in a public fashion with the harem of the deposed king. Thus when Absalom had driven his father David from Jerusalem, his counsellor advised him, "Go in unto thy father's concubines, that he hath left to keep the house; and all Israel will hear that thou art abhorred of thy father. Then will the hands of all that are with thee be strong.' So they spread Absalom a tent upon the top of the house. And Absalom went in unto his father's concubines in the sight of all Israel." (II Samuel 16:21, 22). In two other instances, intercourse with the inmates of the harem of a deceased king was looked upon as one step in the usurpation of the throne. Thus Abner was charged by Ishbaal, son of Saul, with an attempt to usurp the throne in that Abner had intercourse with Rizpah, one of the inmates of the harem of Saul. (II Samuel 3:6-11). On the death of David, there came a struggle for the throne between Solomon, son of Bathsheba, and Adonijah ben Haggith. By some means Adonijah persuaded Bathsheba after Solomon had taken the throne, to intercede with her son that he might permit Adonijah to take Abishag the Shunammite as his wife. The woman in question was the same who as a maiden had been introduced into the harem of the aged David to cherish him.

Solomon received the request as an attempt on the throne. "And why dost thou ask Abishag the Shunammite for Adonijah? Ask for him the kingdom also, for he is mine elder brother, even for him, and for Abiathar the priest, and for Joab the son of Zeruiah." (I Kings 2:13ff). He was naming the fellow conspirators of Adonijah, who at the time of the first struggle had attempted to seat the latter on David's throne.

It would appear that the harem of the former king came to his successor along with the other rights and properties of the kingship. Since the wives and concubines were purchased, the obvious conclusion would be that they were inheritable along with other goods and chattels. The practice has a parallel in the customs of the Arabs prior to the time of Mahomet.*

The power of the king was often used to amass a fortune which he might pass on to his son. Such acts as that of Ahab and Jezebel in confiscating the vineyard of Naboth after they had conspired to have him found guilty of a capital crime, were doubtless of frequent occurrence, especially during the later monarchies. A law which is included in the ideal code shaped by the prophet Ezekiel, is directed at just such usurpation of the rights of commoners. "The prince shall not take of the people's inheritance and thrust them out of their possession; he shall give inheritance to his sons out of

*W. R. Smith, Kinship and Marriage in Early Arabia. p. 89.

his own possession, that my people be not scattered every man from his possession." (Ezekiel 46:18). The clause was no doubt provoked by the conduct of kings who had not looked upon their regal state as an obligation to serve.

The priest was a religious leader and belonged to a class with unique privileges even as the king in his state. We have little information about the families of priests during the earlier periods of Hebrew history. There were priests in existence even from the time of Moses. Private individuals, however, continued to perform priestly functions to a comparatively late date, even as of old the father of the family served as priest for the group.

There is no evidence that the priests of the Hebrews were required to be celibate. The law codes which treat at all of the family affairs of priests, the P code and the ideal code of Ezekiel, clearly take it for granted that the priest will be married. These codes date from the period of the exile, but they may have given expression to custom of a much earlier date.

The ideal code of Ezekiel defines the limits within which a priest may marry. It is evidently presupposed that the laws against marriage with those close of kin apply to the priest as well as to the ordinary individual. These proscribed limits were rather extended in the late codes. The priest is forbidden to marry a divorced woman, or a widow, in addition to those close

of kin to him, marriage with whom is proscribed by the regular law. An exception is made, however, in the case of a priest's widow. Another priest may marry her. In general, however, a priest was permitted to marry none but a virgin. (Ezekiel 44:22).

The ceremonial purity of a priest was to be carefully guarded. He might not approach the body of the dead. Only in the case of his nearest kin, might he transgress this law of ceremonial purity. In the case of the death of his mother or father, his son or daughter, his brother or his unmarried sister, he might approach the corpse, and submit to ceremonial purification, of course, afterwards. (Ezekiel 44:25). The same requirement is found also in the code of the P document. (Leviticus 21:1-3). The wife is not mentioned in either list. Professor Baentsch in commenting on the passage in Leviticus has suggested that the wife would not be regarded as kin by blood of the priest her husband. Ceremonial purity, therefore, would require that he should not come near her body at the time of her funeral. This explanation is probably in accord with the facts. The married sister also would not be regarded as close of kin, since by marriage she had passed into another family. These statements reveal the peculiar twists of custom which so frequently arise under artificial systems of tracing relationships and under ceremonial requirements of equally artificial nature.

In the code of the P document, there is more stringent requirement laid down for the high-priest than for the ordinary priest. The high-priest is forbidden to touch the body even of his deceased father or mother. Likewise his higher ceremonial function required him to marry none but a virgin of his own people. (Leviticus 21:14). Whereas the ordinary priest might marry the widow of another priest, the high-priest might not. None but a virgin was fit for his superior office. For none of his kin, moreover, might the high-priest defile himself at their death by approaching the body.

The family of a priest looked to the offerings which were made at the temple for their sustenance. Only a small portion of these was burned on the altar. The greater part was used for food by the priests and their families. The so-called heave-offerings and wave-offerings seem to have been the portion of the priests' families. (Leviticus 10:12-15; 18:11). There was a strict line drawn within which alone a person was permitted to partake of such holy food with the priest. The wife and the sons of the priest were doubtless understood to be *bona fide* members of the family and therefore permitted to partake of the food without specific mention of them in the law. In addition, a bought slave, slaves born in his house, a widowed daughter, a daughter divorced from her husband, or a daughter returned to her father's house on account of barrenness, might partake of the food on the

priest's table. A stranger, a hired servant, or a married daughter were forbidden to share the priest's food. In the case of certain specified sacrifices and for ceremonial reasons, none but the priest and his sons might partake of the flesh. (Leviticus 22:10-13).

The family of a priest was considered to be under more strict obligation than the ordinary Hebrew family. By way of illustration, we note the imposition of the extreme penalty upon a wayward daughter of a priest. "And the daughter of a priest, if she profane herself by playing the harlot, she profaneth her father. She shall be burnt with fire." (Leviticus 21:9). The ordinary penalty for such conduct on the part of an unbetrothed girl was the obligation to marry the man with whom she had intercourse.

Noblesse oblige would have been imperfectly understood by most Hebrews, at least imperfectly practiced, even as it is an ideal rather rarely embodied in the conduct of those who are in power or high in rank in our own social order. The modern would do well to consider a phrase which the world has not in any generation taken to heart, *d'argent oblige*. In a time when titles and nobilities together with kings and emperors are passing off the scene, there is need for the phrasing of some ideal which will meet the needs of the new day. The failure of the titled and wealthy classes in ancient Israel, was by no means as heinous as the failure of moderns

before whom the ideals of a wholesome social order have been displayed for many centuries. The greatest of all Hebrews styled humanity one great family, when he called God the Father. His ideals have achieved wonders in the transformation of humankind. Still there is much to be achieved ere the perfect social order stands revealed in actuality, when the strong and the exalted feel their responsibility for the lowly and the weak.

Chapter XII

SUMMARY CONCLUSION

THE existence of a metronymic family system prior to the patronymic has its significance for our modern day. We are still living under the sway of patronymic ideas largely. The social readjustments which are going on, however, are menacing the continuance of that male dominance. Is society threatened with disaster because woman is actually winning a footing of equality with man? There are those who are inclined to tremble for the future. It may be reassuring to such to know that the patronymic order has not existed from eternity, and that society has safely weathered line-storms of changing orders in days that are gone. Probably, we should not care to revert to the metronymic type of social organization. Society is, however, moving on toward true equality of woman and man in social status. Intelligent procedure in the shifting social system can come only from a comprehension of history. The new order will possibly be a balanced system. Of old in metronymic terms, children, for example, were counted the possession of the mother's group. Patronymic custom assigned them to the fellowship of the father's family. The new day may see a joint

assignment of possession and inheritance. The sons of a union may assume the patronymic privileges, while the daughters may bear the mother's name and succeed to other privileges similar to those of their brothers. Whatever the details of social arrangement may be, the family is being readjusted on the basis of equal footing for man and woman. Such a readjustment does not necessarily spell disaster, for similar readjustments have been made by humanity in former days. With intelligent action combined with instinct for social integrity, whatever is of worth in the past will be treasured and will be built into the new order. This conclusion follows from what we observe of social transformations in the past.

The tracing of the process of developing social ideals enables the reader of the Old Testament to place various primitive practices and outgrown customs in their proper place. The practice of polygamy by Abraham, for example, is no warrant for polygamy in modern life. A growing ideal of monogamy appears in the Old Testament. The ideal has developed more vigorously since the times of which we are writing in this book. The fact that the primitive Hebrews practiced polygyny, while the Book of Proverbs, a late product in Hebrew life, reveals a social atmosphere of monogamy, serves to class the individual who is a polygynist as a primitive, a back number in civilization's record.

At this point, it is well to record the fact that

the chief value of these records of the Old Testament lies not in their setting forth of examples which are worthy of emulation, but rather in their challenge to thought and in the perspective of historical development which they portray. The understanding of this present age has liberated us from a weight of difficulties and enabled us to set our faces toward the future with a joyous sense of the sacredness of that which is new as well as of that which is ancient. We are abandoning the idea that man is the possessor of woman, for example, in the creation of the new concept of the equal status of woman and man in marriage. Until comparatively recent times, the ancient tradition that a woman was the possession of her father and passed from that ownership only into the dominance of a husband, has held sway. Some exceptions there have been, and certain strong-minded women have made the doctrine ineffective. Nevertheless, the idea has prevailed generally, and has furthermore had the sanction of religion. Under the sway of the newer conceptions of social relationships, however, even religion is modifying its attitude. The interpretation of the clause in the ancient marriage form wherein the father gives the bride to be married is an illustration of the changing order. "Who giveth this woman to be married to this man?" Without doubt this originally denoted the resignation of ownership rights on the part of the father in favor of the husband. A recent

intimation of this fact in a periodical drew forth clerical response which indicated that today the clause is interpreted otherwise. The question in full with all the doctrinal explanations written in would read, "Who giveth this woman to the Church, that the Church may give her in marriage to the loving care of this man!" The complete readjustment of the ancient clause to new conditions in our estimation, however, will have been achieved only when the words are such as these, "Who give their sanction to the union of this woman and this man in marriage?" At this point the father and mother of the bridegroom as well as the father and mother of the bride would rise in assent.

We are not in accord with such as would leave out the clause of which we have been speaking. Some modern parents may have renounced all control over their children, leaving them to "live their own lives." This is unintelligent application of the principle of historical perspective. Time does not make all ancient good uncouth. A certain degree of parental authority and control are indispensable for the highest welfare of youth. The path of "*laissez faire*" leads back to the jungle.

A moral problem of the first importance arises in connection with this question of parental control. In primitive circumstances where the girl was regarded as the possession of the father, the chastity of maidens was a matter of great importance to the Hebrew father. Only

the chaste maiden had worth in the marriage market. In some human groups, the fact that an unmarried girl had many lovers would enhance her in the eyes of suitors as most desirable, because so much desired. There is no evidence at all, however, that such an attitude ever prevailed with the Hebrews. In later times, the money became less and less important. Chastity was still exalted, because it always had been. Laxity in moral conduct on the part of a maiden was fraught with social peril, in view of the fact that pregnancy might occur, whereupon she would be the object of shame. In modern conditions, when contraceptive methods are becoming wide-spread, the state as well as the church and the family must give heed to moral education as never before. A natural safeguard of pre-marital chastity no longer exists, namely the fear of pregnancy. The ancient economic safeguard of the marriage market also has long since disappeared. There remains but one course. The social order must provide a thorough program of education in sex matters, and among other items the sanctions for pre-marital chastity must find a place.

It is a fair question to ask whether the modern trend in affairs has not brought about the complete break-down of all sanctions for pre-marital chastity. While we cannot attempt anything like a complete answer to this question, it does seem pertinent that some brief statement of these sanctions should find place here.

The social sanction still remains. The funded experience of the group is opposed to promiscuous sexual relations. They develop disease; they break down the moral sense; they annihilate the home-forming instinct. The state is concerned about all these matters, and has a right to forbid conduct which tends toward such results. Since the state cannot approve promiscuous sexual relations, it regards as illicit all sexual intercourse except that which is registered in marriage.

The moral sanction is based upon the right conception of love. Love is not confined to physical satisfactions. Love is a permanent quality of mutual satisfaction of physical and spiritual needs between man and woman. This implies the assumption of responsibilities such as are required by the social sanction for premarital chastity. Intercourse without the assumption of responsibility is the first step in the break-down of moral integrity. Furthermore, intercourse without assumption of social responsibility is based upon desire for sensuous satisfaction only, whereas the highest and more permanent satisfactions include the spiritual life as well.

The religious sanction is based upon the right conception of the sexual instinct, whereby it is unclean only when it is allowed to remain merely physical and is given rein in promiscuous relations. The holy love of man and woman creates a permanent union which is the basis of a home.

The sanctions for pre-marital chastity are still valid, even though knowledge of contraceptive practices has removed the great preventive of the fear of pregnancy on the part of the woman.

As we have indicated, the trend in Hebrew history was away from the polygynous group toward monogyny. With this trend, the separation of husband and wife became more and more difficult. Divorce was made a matter of record. If we today deplore the laxity of the marriage bonds, it is reassuring to know that there have been times when conditions were even more lax. On the other hand, the objective of social development would seem to be toward a moral atmosphere which would produce a "will to love." Amid human imperfections, it would be surprising were all pairs well-mated. Some readjustment of relationships is often a necessity. On the other hand, the social order which is making progress will be one in which the permanent character of marital relationships makes possible the home and right conditions for child life. The will to love will often triumph over whims and petty annoyances. The more its people live by such a principle, the more stable will the social fabric become.

Of the most importance, is the concept of group solidarity, which appears in great prominence among the Hebrews, as it does among many other oriental peoples. The Hebrew of the days prior to the deportation to Babylon rec-

ognized no individualism apart from its intimate connection with the major entity of the social order, his group. The prophets of social and moral righteousness thundered at the sins of the group, and held out promises of blessing to the tribe or the nation. Jeremiah and Ezekiel are two outstanding exceptions among them. Yet even these preachers addressed individuals as such only in connection with the group.

In modern times, we may see this concept of group solidarity hardened into a most deadly incubus upon social progress in the caste system of India. In China also, the group is the prime entity of the social order, where it does not appear to be entirely an obstacle in the way of progress, but in some respects, a help. Neither of these social orders may appear to be as commendable as the western individualistic scheme to a western mind. A study of the evils existent in the modern world, of which we would fain be rid, might lead to the conclusion that neither concept is final. The perfect social order may conceivably be one in which there is a blending of the individual's independent spirit with a concept of social solidarity. Certainly, there lies in the ancient and still vital concept of group integrity an idea worthy the consideration of the modern occident.

In this concluding chapter of this volume, we have aimed to indicate some of the pertinency of historical studies like this for this twentieth century *anno domini*. The past is a

matter of interest in itself, but the true historian should ever be alert to profit by the lessons of the past in their bearing upon the life of the present, whether he be an assembler of the facts, or a reader of them after they are assembled.

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Date Due			
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1/10/59			
11-15-60			
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Cross, E. B.
The Hebrew family.

DATE LOANED	BORROWER'S NAME	DATE RETURNED
4-11-70	D. Decker	
2/28/72	davitt 203	
NOV 14 '78	V. Allen MTS	
6.16.77	ILLO to IOBT	
	renew	
NOV 7 '77	Tosl	
FEB 9 '78	K	
NOV 11 '79		

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